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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued Mar. 18, 1953
For actions of Mar. 17, 1953
S3rd-1st, No. 46

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HIGHLIGHT: House committees reported resolution for FSA reorganization and granted rule for its consideration.

HOUSE

1. REORGANIZATION. The Government Operations Committee reported with amendment H. J. Res 223, providing that Reorganization Plan No. 1, to create a Department of Health, Education, and Welfare, shall take effect 10 days after enactment of the resolution (H. Rept. 156). The Rules Committee reported without amendment H. Res. 179 providing for consideration of H. J. Res. 223 (p. 2108).
2. WATER-FACILITIES PROJECTS. The Interior and Insular Affairs Committee was discharged from further consideration of H. R. 2229, increasing the maximum amount of Federal funds which may be expended for any one water facilities project, and it was referred to the Agriculture Committee (p. 2002).
3. PUBLIC LANDS. The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 3380, to authorize the exchange of lands acquired by the U. S. for Prince William Forest Park, Va., for the purpose of consolidating Federal Holdings therein (p. D166).
The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 1551, declaring that the U. S. holds certain lands in trust for the Minnesota Chippewa Tribe (p. D166).
4. FARM PROGRAM. Rep. Staggers spoke on several legislative matters including agriculture, saying "We look to the Agriculture Committee for a concrete program that will be neither a handout nor a desertion..." (pp. 2003-4).
5. TAXATION. Rep. Reed, N. Y., urged Congress to take immediate action on his bill, H. R. 1, to reduce individual income taxes (pp. 2005-6).
6. FLOOD CONTROL; RECLAMATION. Received Calif. Legislature memorial "relative to flood-control works on the San Joaquin River," and a Nev. Legislature memorial to provide for construction of the Bridge Canyon Dam and Bridge Canyon power plant of the central Arizona project (p. 2109).

ITEMS INTRODUCED

7. LAND LAWS. H. R. 4023, by Rep. D'Ewart, to provide for the revision of the public land laws in order to provide for orderly use, improvement, and development of the Federal lands and to stabilize the livestock industry dependent upon the Federal range; to Committee on Interior and Insular Affairs (p. 2108).
8. FLOOD CONTROL. H. R. 4025, by Rep. Angell, and H. R. 4037, by Rep. Mack, authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin; to Committee on Public Works (p. 2108).
9. LIBRARY SERVICES. H. R. 4027, by Rep. Bailey, H. R. 4042, by Rep. Steed, and H. R. 4045, by Rep. Thompson, to promote the further development of public library service in rural areas; to Committee on Education and Labor (p. 2108).
10. PERSONNEL. H. R. 4028, by Rep. Broyhill, to prohibit the use of funds of or available for expenditure by any Government corporation or agency for certain payments of annual leave, accruing during any calendar year and unused at the close of such year, of a civilian officer or employee whose salary exceeds the maximum rate of basic compensation provided for grade 15 of the General Schedule of the Classification Act of 1949; to Committee on Post Office and Civil Service (p. 2108).
11. IMPORTS. H. R. 4032, by Rep. Hunter, to amend section 104 of the Defense Production Act of 1950, relating to import controls of commodities and products which affect the national defense, to Committee on Banking and Currency (2108).
12. FARM LOANS. H. R. 4038, by Rep. Peage, to amend the Bankhead-Jones Farm Tenant Act, as amended, so as to improve the credit services available to farmers seeking to adopt soil-and-conserving systems of farming contributing toward development of a permanently and abundantly productive American agriculture; to Committee on Agriculture (p. 2100).
13. PERSONNEL. H. R. 4039, by Rep. Rees, to exempt from the Annual and Sick Leave Act of 1951 the heads and assistant heads of the executive departments and certain other officers and employees in the executive branch; to the Committee on Post Office and Civil Service; (p. 2108). Remarks of author (p. 2078).
14. REORGANIZATION. H. Res. 180, by Rep. Bennett, disapproving Reorganization Plan No. 1 of 1953; to Committee on Government Operations (p. 2108). Remarks of author (p. 2107).

ITEMS IN A PENDIX

15. HAWAII STATEHOOD. Rep. Hosmer inserted a Calif. Senate Joint Resolution favoring statehood for Hawaii (pp. A1417-8).
Rep. Smith inserted a Christian Science Monitor article discussing the admittance of Hawaii and Alaska into the Union and stating that "once they are admitted, the precedent exists for taking in remote areas" (p. A1427).
16. TAXATION. Rep. Jenkins inserted an Athens (Ohio) Messenger article favoring reduction in taxes (pp. A1424-5).
17. ST. LAWRENCE SEAWAY. Extension of remarks of Rep. Fallon opposing this project as an "economic monstrosity" (p. A1425).

83^d CONGRESS
1ST SESSION

H. R. 4039

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1953

Mr. REES of Kansas introduced the following bill; which was referred to the
Committee on Post Office and Civil Service

A BILL

To exempt from the Annual and Sick Leave Act of 1951 the
heads and assistant heads of the executive departments and
certain other officers and employees in the executive branch.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 202 (b) (1) of the Annual and Sick Leave
4 Act of 1951 is amended by striking out “and” at the end
5 of subparagraph (H), and by striking out the period at the
6 end of subparagraph (I) and inserting in lieu thereof a
7 semicolon and the following:

8 “(J) officers and employees referred to in the Act
9 entitled ‘An Act to increase rates of compensation of

A BILL

To exempt from the Annual and Sick Leave Act of 1951 the heads and assistant heads of the executive departments and certain other officers and employees in the executive branch.

By Mr. REES of Kansas

MARCH 17, 1953

Referred to the Committee on Post Office and Civil Service



Congressional Record

United States
of America

PROCEEDINGS AND DEBATES OF THE 83^d CONGRESS, FIRST SESSION

Vol. 99

WASHINGTON, TUESDAY, MARCH 17, 1953

No. 46

Senate

The Senate was not in session today. Its next meeting will be held on Wednesday, March 18, 1953, at 12 o'clock meridian.

House of Representatives

TUESDAY, MARCH 17, 1953

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou infinite and gracious spirit, who hast made us for Thyself, may we now be numbered among the seekers and finders of God for we need Thee so greatly in our private and public life.

Grant that we may yield ourselves gladly and unreservedly to the guidance and discipline of Thy divine truth in order that our minds and hearts may be emancipated from all those fears which weaken, those doubts which darken, those sins which blind and deaden our souls, and those sorrows which make us lonely.

We are daily beseeching Thee that Thou wilt create within the hearts of men and nations those finer feelings and nobler thoughts which are the progenitors of achievement in the building of a more glorious civilization.

Inspire us with the same lofty aspiration which filled the life of St. Patrick, Thy servant, whose Christlike character and ministry, many in this and other lands are honoring today.

Hear us in the name of our Lord and Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolution of the House of the following titles:

H. R. 2466. An act to amend the act of July 12, 1950 (ch. 460, 64 Stat. 336), as amended, which authorizes free postage for

members of the Armed Forces of the United States in specified areas; and

H. Con. Res. 64. Concurrent resolution authorizing the Washington State Whitman Statue Committee to place temporarily in the rotunda of the Capitol a statue of the late Dr. Marcus Whitman, the holding of ceremonies, and permanent location in Statuary Hall.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 173. An act for the relief of Socorro Gerona de Castro;

S. 255. An act for the relief of Sister Odilia, also known as Maria Hutter; and

S. 1229. An act to continue the effectiveness of the Missing Persons Act, as amended and extended, until July 1, 1954.

ST. PATRICK'S DAY

(Mr. O'HARA of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. O'HARA of Minnesota. Mr. Speaker, on this special day—St. Patrick's Day—from the bottom of my heart I wish—"you all"—of the North, the South, the East, the West—"The top o' the mornin'."

This is one day of the year when the world is divided into two classes—those who are Irish and those who would like to be Irish.

St. Patrick's Day is and always will be a day of national importance. I have heard it said not only that St. Patrick was a Scotsman but that he was a Republican. There is no question that he was an Irishman, either real or adopted, and by the results of the last election St. Patrick must have been on the side of the Republicans in the United States.

As direct descendants of the kings of Erin, the Republican Irish—the Allens,

the Bates, the Bennetts, the Byrneses, the Corbetts, the Cunninghams, the Doolivers, the Dorns, the Gavins, the Goldenes, the Heseltons, the Hillings, the Horans, the Kearneys, the Kearns, the Keatings, the Kilburns, the McCormells, the McCullochs, the McDonoughs, the McGregors, the McVeys, the Martins, the Meaders, the O'Haras, the O'Konskis, the Pattersons, the St. Georges, the Sheehans—all acclaim the affection we have for "the other side of the aisle" Irish: the Bolands, the Byrnes, the Carnahans, the Delaneys, the Dempseys, the Donohues, the Donovans, the Doyles, the Fallons, the Feighans, the Fogartys, the Granahans, the Harts, the Kelleys, the Keoghs, the Kildays, the Kirwans, the Lanes, the McCarthys, the McCormacks, the McMillans, the Macks, the Maddens, the Mahons, the Mollohan, the Murrays, the O'Briens, O'Hara of Illinois, the O'Neills, the Philbins, the Regans, the Rileys, the Rooneys, the Shelleys, the Sullivans, and the Suttons.

St. Patrick was a great missionary and early Christian. While in this House the Republican Irish may be slightly outnumbered by the Irish on the other side of the aisle, we promise you much missionary work in the next year.

Lest there be overconfidence on the side having the greater numbers, let it be said that the fighting Irish may have been outnumbered but never outfought. We shall send into this battle O'Konski, of Wisconsin, to convert O'Klein, of New York, and in reserve against the unbelievers we challenge you with "County Clare" Hoffman.

If anyone makes light of the difference in numbers, remember, there may be only one saint but many sinners.

Which proves conclusively that St. Patrick was an Irishman and a Republican.

But today on St. Patrick's Day—and for today only—all is sunshine and harmony among the Irish and the non-Irish from alpha to omega—from ABBITT, of Virginia, to ZABLOCKI, of Wisconsin.

Special greetings of affection to you all and Erin go Bragh.

LUMP-SUM PAYMENTS TO PUBLIC OFFICIALS FOR ACCRUED ANNUAL LEAVE

(Mr. REES of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REES of Kansas. Mr. Speaker, I have today introduced legislation which will exclude from the provisions of the Annual and Sick Leave Act of 1951, officials in the executive branch of the Government specified in Public Law 359, 81st Congress; the act which established the rates of pay of the heads and assistant heads of executive departments and independent offices. This includes Presidential assistants and top level Presidential appointments.

This bill, when enacted into law, will prevent any such payments to department and agency heads in large sums such as has been recently disclosed by the Comptroller General's report to the Appropriations Committee. This report pointed out that some retiring department and agency heads of the Truman administration received in excess of \$5,000 in accumulated annual leave. In fact, one high official received over \$12,000 in a lump sum for accumulated annual leave.

In addition to legislation which will prevent such payments in the future, I am asking the Comptroller General to conduct such investigations as are necessary to determine whether or not there was misrepresentation in the certifications of officials calling for such large lump-sum payments for accumulated annual leave.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON RULES

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a rule.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

INQUIRY INTO CERTAIN OPERATIONS AND CONDITIONS IN KOREA

Mr. SHORT. Mr. Speaker, by direction of the Committee on Armed Serv-

ices, I present a privileged resolution (H. Res. 171).

The Clerk read the resolution, as follows:

Resolved, That the Secretary of Defense report to the Clerk of the House in broad general terms—

(a) the purpose of the combat raid called Operation Smack;

(b) whether a timetable for the attack was made available to invited guests before the attack was staged;

(c) whether the schedule for the attack was bound in covers and given a colored front;

(d) if the answer to the last question is in the affirmative—

1. what was the reason for that procedure?;

2. how many were printed and the number by whom and to whom distributed?;

3. if schedules, or any advance notice of, or orders for, the attack were printed, to what officers—not individual names—were they distributed?; and

4. please furnish us a copy;

(e) who, if anyone, was present as visitors or spectators and, broadly, what were the reasons for the attendance of each?

(f) were motion pictures made of the operation? If the answer is in the affirmative—

1. by whom;

2. for what purpose; and

3. if made, by whom and for what purpose were they to be used in the United States, or elsewhere?;

(g) have the lines in Korea been more or less stabilized for a year? And, if so, what was the specific purpose of this raid?; and

(h) approximately how many men in the Armed Forces of the United States were killed, how many additional men in the Armed Forces of the United Nations lost their lives, and how many in each category were casualties?;

(i) who representing the press was present?;

(j) have there been shortages of ammunition and weapons in Korea? If the answer is in the affirmative—

1. during what time; and

2. to what extent?;

(k) at the present time, have the Armed Forces in Korea an adequate supply of ammunition and weapons, adequate food and clothing?

Mr. SHORT. Mr. Speaker, in view of the fact that the report contains all of the information requested in the resolution offered by the gentleman from Michigan [Mr. HOFFMAN], I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

Mr. SHORT. Mr. Speaker, I ask unanimous consent that the report be printed in the RECORD in its entirety with the exception of the colored cover which is not readily susceptible of reproduction. At this point I might say that any Member of the House may look at the cover which merely contains the infantry division insignia.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, I should like to let the Members of the House know that there is nothing on the inside, but the report, as the gentleman from Missouri states, does contain answers to the questions filed.

Mr. SHORT. I wish to say to the gentleman from Michigan, in order to be exact, that I think the report as I am submitting it for this purpose in its entirety with the exception of the reproduction of the cover will answer the ques-

tions in his resolution. Any Member of the House, however, is perfectly welcome to examine the contents of the folder which is in the safe over at my office. It is top secret, because it contains a minute description of battle actions and maneuvers.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield further?

Mr. SHORT. Gladly.

Mr. HOFFMAN of Michigan. As I understand, the committee of the other body is going into this matter of ammunition anyway.

Mr. SHORT. That is quite correct.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

TO INQUIRE INTO CERTAIN OPERATIONS AND CONDITIONS IN KOREA

Mr. SHORT, from the Committee on Armed Services, submitted the following adverse report (to accompany H. Res. 171).

The Committee on Armed Services, to whom was referred the resolution (H. Res. 171) to inquire into certain operations and conditions in Korea, having considered the same, report unfavorably thereon without amendment and recommend that the resolution do not pass.

THE SECRETARY OF DEFENSE,
Washington, March 14, 1953.

Hon. DEWEY SHORT,
Chairman, Committee on Armed Services, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request for a report by the Department of Defense on House Resolution 171, 83d Congress, a resolution of inquiry into the circumstances surrounding Operation Smack.

The attached memorandum from the Secretary of the Army contains the information requested by the resolution.

Very sincerely yours,

ROGER M. KYES,
Acting.

DEPARTMENT OF THE ARMY,
Washington, D. C., March 14, 1953.

Memorandum for: Secretary of Defense.
Subject: House Resolution 171, resolution to inquire into certain operations and conditions in Korea.

Reference is made to your memo routing slip of March 10, 1953, from Rear Adm. H. A. Houser, United States Navy, Director, Office of Legislative Liaison, Office of the Secretary of Defense, assigning to the Department of the Army the responsibility for preparing replies to Congress on the questions set out in House Resolution 171.

On February 3, 1953, the Chief of Staff, United States Army, Gen. J. Lawton Collins, appeared before the Committee on Armed Services of the House of Representatives and presented full factual information with respect to this military operation. Additional information which became available to the Department of the Army since that date was submitted to the Committee on Armed Services of the House of Representatives in connection with the report of the Department of Defense on House Resolution 121. The information furnished with respect to House Resolution 121 is, however, repeated herein so that an integrated report may be furnished to the committee with respect to House Resolution 171. The answers to the specific questions set out in House Resolution 171, to supplement the testimony of General Collins, are set out below.

(a) The purpose of the raid: The general purpose of Operation Smack was to destroy the enemy on the objective, to capture prisoners, to obtain military information of intelligence value, and to destroy underground

83D CONGRESS
1ST SESSION

H. R. 4654

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 1953

Mr. REES of Kansas introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 202 (b) (1) of the Annual and Sick
4 Leave Act of 1951 is amended by striking out "and" at
5 the end of subparagraph (H), and by striking out the
6 period at the end of subparagraph (I) and inserting in lieu
7 thereof a semicolon and the following:

8 “(J) any officer or employee in the executive
9 branch of the Government appointed by the President,
10 by and with the advice and consent of the Senate, or by

1 the President alone, whose rate of basic compensation
2 exceeds the maximum rate provided in the General
3 Schedule of the Classification Act of 1949, as amended.
4 Subparagraph (J) shall not apply to the personnel of the
5 Foreign Service of the United States.”

6 (b) Section 202 (b) of the Annual and Sick Leave Act
7 of 1951 is amended by adding at the end thereof the fol-
8 lowing:

9 “(4) This title, except section 203 (f), shall not apply
10 to chiefs of mission in the Foreign Service of the United
11 States who receive compensation at one of the rates au-
12 thorized in section 411 of the Foreign Service Act of 1946
13 (22 U. S. C., sec. 866).”

14 (c) The President, in his discretion, may authorize
15 leaves of absence with pay to any officers and employees
16 who are exempted in whole or in part from the Annual and
17 Sick Leave Act of 1951 as a result of the enactment of this
18 Act. This subsection shall not affect leaves of absence which
19 may be granted to chiefs of mission in the Foreign Service
20 of the United States under section 203 (f) of such Act.

21 SEC. 2. (a) The accumulated and current accrued an-
22 nual leave to which any officer or employee exempted in
23 whole or in part from the Annual and Sick Leave Act of
24 1951 as a result of the enactment of this Act is entitled im-

1 immediately prior to the date this Act becomes applicable to
2 him shall be liquidated by a lump-sum payment at the rate
3 of compensation which he was receiving immediately prior to
4 such date only upon (1) the separation of such officer or em-
5 ployee from the service, (2) the death of such officer or
6 employee, or (3) the transfer of such officer or employee
7 to a position under a leave system other than the leave sys-
8 tem provided by the Annual and Sick Leave Act of 1951.

9 (b) In the event any such exempted officer or em-
10 ployee, without any break in the continuity of his service,
11 again becomes subject to the Annual and Sick Leave Act
12 of 1951 upon the completion of his service as an exempted
13 officer or employee, such officer or employee shall be en-
14 titled to the annual and sick leave to which he is entitled
15 immediately prior to the date this Act becomes applicable
16 to him, in the same manner and to the same extent as though
17 he had been continuously subject to the Annual and Sick
18 Leave Act of 1951.

19 (c) In the event any such exempted officer or employee
20 is separated from the service to enter upon active service
21 in the Armed Forces of the United States, such officer or
22 employee shall be entitled (1) to receive compensation
23 covering the accumulated and current accrued annual leave
24 to which he is entitled immediately prior to the date this Act

1 becomes applicable to him, or (2) to elect to have such leave
2 remain to his credit until his return from active service in
3 the Armed Forces.

4 SEC. 3. This Act shall take effect on the first day of
5 the first pay period which begins after the date of enactment
6 of this Act.

83RD CONGRESS
1ST SESSION

H. R. 4654

A BILL

To provide for the exemption from the Annual
and Sick Leave Act of 1951 of certain offi-
cers in the executive branch of the Govern-
ment, and for other purposes.

By Mr. REES of Kansas

APRIL 16, 1953

Referred to the Committee on Post Office and Civil
Service

which are normally performed by an architect who assumes such costs in his regular commission." "The committee has disallowed all estimates for the acquisition of additional space but has allowed the full amount requested for removing existing agencies to space more appropriate for their needs. The General Services Administration and the Agencies interested in the rental of space in Washington and other areas throughout the country should make a careful survey of additional space which will become available as activities are liquidated or eliminated and it is the opinion of the committee that in many instances the demand for space can be met through utilization of this space and with substantial savings to the government."

Interstate Commerce Commission. "The committee wishes to point out the urgent need for reorganization of this agency. Many additional activities have been assigned to it... During that period there has been no substantial reorganization..."

National Science Foundation. "The committee is much interested in the coordination and elimination of duplication in connection with all scientific research work. It requests the National Science Foundation, during the fiscal year 1954, to exert every effort to assist in the coordination of all Federal research, including the elimination of duplication. In the opinion of the committee, a definite showing of substantial savings in this connection would encourage the Congress to consider the provision of additional funds for scientific research. The bill contains \$5,724,400 for this agency which is a reduction of \$9,275,600 in the estimate, and an increase of \$974,400 in the 1953 appropriation."

2. PERSONNEL; LEAVE. The Post Office and Civil Service Committee ordered reported (but did not actually report) H. R. 4654, excluding certain top officials from the Annual and Sick Leave Act of 1951 (p. D282).

SENATE - April 17

3. SUBMERGED LANDS. Continued debate on S. J. Res. 13, to establish State title to submerged lands (pp. 3355-60, 3369-96).

4. FLOOD CONTROL. The Public Works Committee reported with amendments S. 117, to amend Sec. 7 of the Flood Control Act of 1941, relating to apportioning money received on account of leasing of lands acquired for flood-control purposes (S. Rept. 151)(p. 3362).

5. NOMINATION. Received the nomination of Edmund F. Mansure to be GSA Administrator (p. 3398).

6. FOOD PURCHASES. Sen. Humphrey spoke favoring USDA's recent purchases of surplus beef for export to Greece and donation to the school lunch program, and the Department's proposal to sell surplus butter to the Army (pp. 3368-9).

7. REPORTS. Received this Department's report on obligations incurred in excess of amounts permitted by the administrative regulations, the report on GAO operations during the fiscal year 1952, and GAO's report on the Bureau of Land Management (p. 3360).

SENATE - April 18

8. SUBMERGED LANDS. Continued debate on S. J. Res. 13 (pp. 3408-32).

9. NOMINATION of Frederick J. Lawton to be a Civil Service Commissioner was confirmed (p. 3434).

10. FOREIGN AID; WHEAT. Sen. Humphrey inserted a newspaper article, 3 letters written by him to Secretaries Benson and Dulles and Mr. Stassen, and his statement urging "immediate emergency action toward sharing America's wheat abundance to avert the threat of mass starvation in Pakistan" (pp. 3432-4).

BILLS INTRODUCED

11. RECLAMATION. S. 1669, by Rep. Barrett, to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project; to Interior and Insular Affairs Committee (p. 3362).
12. EXTENSION SERVICE. S. 1679, by Sen. Aiken (for himself and Sen. Ellender), to consolidate extension-service authorizations; to Agriculture and Forestry Committee (p. 3362).
13. IMPORT CONTROL. S. 1680, by Sen. Aiken (for himself and Sen. Holland), to provide for emergency action under Sec. 22 of the Agricultural Adjustment Act; to Agriculture and Forestry Committee (p. 3362).
14. PERSONNEL. S. 1684, by Sen. Carlson, to facilitate civil-service appointment persons who lost opportunity therefor because of service in the Armed Forces after June 30, 1950; and to provide certain benefits upon appointment; to Post Office and Civil Service Committee (p. 3407).
S. 1688, by Sen. Johnston (for himself and Sen. Cooper), to amend the Civil Service Retirement Act; to Post Office and Civil Service Committee (p. 3407).
15. FORESTRY. S. 1686, by Sen. Hunt, directing the Secretary of Agriculture to convey a tract of land out of the Teton National Forest, Wyo., to Thomas Guilfoyle Huff in exchange for a tract of land adjacent thereto owned by said person; to Agriculture and Forestry Committee (p. 3407). Remarks of author (p. 3407).

ITEMS IN APPENDIX

16. SCHOOL LUNCH PROGRAM. Sen. Kennedy inserted his letter to the President opposing the recent reduction in the school-lunch estimates for 1954 (p. A2086).
17. PRICE SUPPORTS. Sen. Welker inserted an American Cattle Producer article stating that cattlemen are opposed to price supports and are backing up the Secretary "in his attitude of less Government support and more private enterprise" (pp. A2093-4).
18. TARIFFS. Extension of remarks of Rep. Keating favoring the President's request for continuation of the Reciprocal Trade Agreements Act for 1 year (pp. A2095-6).

COMMITTEE HEARING ANNOUNCEMENTS FOR APR. 20: Farm exports-imports, S. Agriculture and Forestry (State Dept. and Farmers' Union to testify). Fertilizer imports and supply, H. Agriculture (Taylor and Porter, PMA, to testify). Maryland tobacco price supports, H. Rules.

Hagen of California (author of the House bill); and F. B. Lee, Acting Civil Aeronautics Administrator.

AMERICAN WAR MOTHERS—GUARDSMEN

Committee on the Judiciary: Subcommittee No. 2 approved for reporting to the full committee H. R. 1434, providing that membership to the American War Mothers shall be extended to those mothers whose sons and daughters served in the Korean conflict, or any subsequent war involving the United States.

Also held a hearing on H. R. 1717, to incorporate the Legion of Guardsmen. Representative Gross, author of the bill, testified, along with Harold J. Arthur, former Governor of Vermont; and the following officials of the Legion of Guardsmen—Paul G. Norris, Jr., national commander, and Peter A. Barish and F. K. Wilson, both vice commanders.

TERMINAL LEAVE

Committee on Post Office and Civil Service: Ordered reported favorably to the House H. R. 4654, regarding lump-sum leave payments for Government officials. This legislation would exclude from the provisions of the Annual and Sick Leave Act of 1951, officials in the executive branch of the Government specified in Public Law 359 (81st Cong.), the act which established the rates of pay of the heads and assistant heads of executive departments and independent offices. This includes Presidential assistants and top-level Presidential appointments.

This bill supersedes H. R. 4039 (the original bill on the subject, which was introduced by Representative Rees of Kansas), and was approved with one clarifying amendment.

RIVERS AND HARBORS

Committee on Public Works: The Angell Subcommittee on Rivers and Harbors approved for reporting to the full committee the following six review resolutions providing surveys of Port Mansfield Channel, Tex.; Toledo Harbor, Ohio; Boston Harbor, Mass.; Kahului Harbor, Hawaii; Back Bay of Biloxi, Miss.; and East Pass Channel, Fla.

Also approved for reporting to the full committee H. R. 2761, authorizing construction and maintenance

of a bridge and approaches thereto across the Mississippi River at or near Clinton, Iowa, and Fulton, Ill.

A hearing was held on the Nutwood drainage and levee district project in Illinois. Representative Simpson of Illinois and interested citizens urged favorable consideration of the project. The subcommittee recommended that legislation be drafted with a view to accomplishing this objective.

COMMUNISM

Committee on Un-American Activities: Questioned Mrs. Mary Catherine Grier, an employee of the American Geographic Society, and a former employee of the Navy and Air Force Departments. Mrs. Grier denied membership in the Communist Party at the present time, and refused to answer committee counsel's question as to any past identity or association in the party. She invoked her constitutional right under the fifth amendment as her refusal to answer. Committee adjourned until Tuesday morning when it will continue its study of communism in education.

INTERNAL REVENUE

Committee on Ways and Means: The Kean subcommittee which is investigating irregularities in the Bureau of Internal Revenue continued questioning Henry W. Grunewald, public relations man of Washington, D. C., regarding alleged political intervention in tax cases, and his own income-tax returns. Subcommittee will continue cross-examination of same witness next Tuesday morning.

Joint Committee Meetings

ATOMIC ENERGY

Joint Committee on Atomic Energy: Committee met in executive session on certain exchange-of-information problems, made no announcements, and will meet again April 21.

ORGANIZATIONAL MEETING

Joint Committee on Defense Production: Committee met in executive session for organizational purposes, after which it announced that Senator Capehart and Representative Gamble had been selected to be the committee's chairman and vice chairman, respectively. Committee recessed subject to call.

CONGRESSIONAL PROGRAM AHEAD

Senate Chamber

(Week of April 20-25)

Senate will continue consideration of S. J. Res. 13, submerged lands legislation.

Senate Committees

Committee on Agriculture and Forestry: April 20-24, on agricultural exports and imports (Monday, State Department; Tuesday, National Farmers Union; Wednesday, Tariff Com-

mission; Thursday and Friday, Agriculture Department and others), 10 a. m., 324 Senate Office Building.

Committee on Appropriations: April 20, Subcommittee on Interior, 10 a. m., room F-82, Capitol; Subcommittee on State, Justice, Commerce, 10 a. m., room F-37, Capitol; Subcommittee on Agriculture, 10 a. m., room F-39, Capitol;

April 21 and 23, subcommittee, on H. R. 4663, independent offices appropriations.

Committee on Armed Services: April 20, Preparedness Subcommittee No. 2, on ammunition shortages, 10 a. m., 212 Senate Office Building;

House of Representatives

Chamber Action

The House was not in session today. Its next meeting will be held on Monday, April 20, at 12 o'clock noon. For program, see Congressional Program Ahead in this Digest.

Committee Meetings

MILITARY REAL-ESTATE PROJECTS

Committee on Armed Services: The Cunningham Subcommittee on Acquisition and Disposal continued consideration of various real-estate projects and approved six Air Force acquisition projects. Also rejected 1 Air Force disposal project and approved 1 disposal project. Testimony was received today from Maj. Gen. Lee B. Washbourne, Chief of Installations, Department of the Air Force, and Col. Joseph Friedlander, Jr., Department of Air Force Installations.

TAFT-HARTLEY LAW

Committee on Education and Labor: Carl Brown, national executive director, Foreman's Association of America, testified today in connection with the committee's study of proposed revisions to the Labor-Management Relations Act. Mr. Brown urged retention of the present law's exclusion of supervisors associated with policymaking management, and proposed an amendment which would change the term "supervisor" to mean any person having authority, in the interest of the employer, to hire or discharge other employees.

Opposition to many features of the present statute, accompanied by miscellaneous suggestions proposing revisions and changes, were presented by J. Albert Woll, general counsel, International Union of Teamsters, etc., AFL; and Julian E. Goldberg, general counsel, American Federation of Hosiery Workers, AFL. Hearings will be continued Monday morning.

SECRETARY OF STATE—NATO

Committee on Foreign Affairs: Following an executive meeting with John Foster Dulles, Secretary of State, Chairman Chiperfield announced that the Secretary's appearance today was to consult with the committee before his departure for the NATO meeting of Cabinet ministers in Paris next week. He described problems which will be considered at the forthcoming meeting in considerable detail and solicited comments by the committee on a number of pending issues.

The major task of the NATO ministers at the coming meeting, as Secretary Dulles pointed out, is to reach agreement on the NATO defense program for 1953. This agreement will be a product of the NATO annual review, a process through which representatives of the 14 member governments balance defense requirements

against politico-economic capabilities and recommend force goals which are militarily sound and economically feasible.

Secretary Dulles did not attempt to predict the outcome of the 1952 annual review. However, he indicated that 1953 force goals will probably be appreciably higher than the goals for 1952, established at the Lisbon meeting in February 1952. The Lisbon meeting agreed on a program which contemplated 50 ground force divisions, approximately 4,000 aircraft, and 1,600 ships by the end of 1952. NATO authorities have reported that these goals have been substantially achieved.

ALASKAN STATEHOOD

Committee on Interior and Insular Affairs: The Saylor Subcommittee on Territories held further hearings regarding the admission of Alaska to statehood. Six bills on this subject are pending before the subcommittee. Witnesses heard today, speaking in favor of admission were Lee C. Bettinger, mayor of Kodiak, Alaska; Representative Magnuson, of Washington; Mrs. W. E. Dunkle, Anchorage, Alaska; Representative Hagen, of Minnesota; Mrs. Mildred R. Hermann, secretary, Alaska Statehood Committee; and Ernest Gruening, former Governor of Alaska. Subcommittee adjourned subject to call of the Chair.

LIGHTHOUSE SERVICE—HOSPITAL PROJECTS—AIRPORTS

Committee on Interstate and Foreign Commerce: Ordered reported to the House H. R. 1026, providing medical, surgical, and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service; and H. R. 2832, authorizing Federal aid with respect to costs of construction of that portion of an approved hospital project which was commenced without Federal participation prior to January 1, 1953. Witnesses heard on the Lighthouse Service employee bill were C. F. Cockrell, Active-Retired Lighthouse Service Employees Association, Portsmouth, Va.; and Dr. G. Halsey Hunt, Assistant Surgeon General, Associate Chief, Bureau of Medical Services, Public Health Service. Speaking on the hospital construction bill were Representative Chenoweth (author of the measure); Richard V. Anderson, La Jara, Colo., speaking on behalf of the Southern San Luis Valley Hospital Association; and Dr. Vane M. Hoge, Assistant Surgeon General, Associate Chief, Bureau of Medical Services, Public Health Service.

Also held a hearing on H. R. 3538 and S. 35, to amend the Federal Airport Act in order to extend the time during which requests may be made for reimbursement for damages to public airports resulting from military operations. No action was taken on this measure, and the committee received testimony from Representative

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued April 23, 1953
For actions of April 22, 1953
83rd-1st, No. 71

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HIGHLIGHTS: House passed 3rd supplemental appropriation bill with REA item stricken on point of order, and 1st independent offices appropriation bill, rejecting amendment to restore item for civil-service retirement fund. Senate committee voted to report resolution for consolidated appropriation bill. House committee reported bill to exempt certain top officials from leave system.

HOUSE

1. APPROPRIATIONS. Passed with amendment H. R. 4664, the third supplemental appropriation bill, 1953 (pp. 3687-8). A point of order by Rep. Coudert, against the rural-telephone loans item, was sustained (p. 3688). For other items in this bill, see Digest 67.
Passed with amendment H. R. 4663, the first independent offices appropriation bill, 1954 (pp. 3645-87). Rejected, 84-143, an amendment by Rep. Miller, Calif., to restore the \$368,154,000 for the civil service retirement and disability fund (pp. 3645-9). Rejected, 38-132, an amendment by Rep. Williams, Miss., prohibiting salary payments in excess of congressional salaries to persons (except the President) covered by the bill (pp. 3683-5). Rep. Priest, in discussing the National Science Foundation cut, said this agency would still be authorized to receive funds from other Government research agencies (p. 3681).
2. PERSONNEL. The Post Office and Civil Service Committee reported with amendment H. R. 4654, to exempt certain major officials from the Annual and Sick Leave Act of 1951 (H. Rept. 309)(p. 3689).
3. WILDLIFE CONSERVATION. The Interior and Insular Affairs Committee reported with amendment H. R. 1571, to permit appointment of Federal or Territorial employees to the Alaska Game Commission if no others are available (H. Rept. 307)(p.3689).
4. DAYLIGHT-SAVING TIME. A subcommittee of the Judiciary Committee voted to report to the full committee (without recommendation) S. 1419 and H. R. 1391, authorizing the D. C. Commissioners to establish daylight-saving time in D. C.; and H. R. 4363, authorizing the President to establish daylight-saving time each year in D. C. (p. D304).

SENATE

5. SUBMERGED LANDS. Continued debate on S. J. Res. 13, to establish State title to submerged lands (pp. 3691-2, 3697-741).
6. APPROPRIATIONS. The Rules and Administration Committee ordered favorably reported (but did not actually report) S. Con. Res. 8, providing for a consolidated general appropriation bill (p. D303).
7. WATER UTILIZATION. Sen. Morse inserted an Oreg. Legislature resolution urging "continued orderly development of the Columbia River and its tributaries" (p. 3693).

BILLS INTRODUCED

8. OLEOMARGARINE. H. R. 4766, by Rep. Bates, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine; to Armed Services Committee (p. 3689).
9. FARM LOANS. H. R. 4768, by Rep. Curtis, Nebr., to amend the National Housing Act to authorize insurance of loans made to finance deep well irrigation systems; to Banking and Currency Committee (p. 3689).
10. PERSONNEL. H. R. 4773, by Rep. Kearney, to simplify and consolidate laws regarding dual employment; to Post Office and Civil Service Committee (p. 3689).
11. RECLAMATION. H. R. 4788, by Rep. Young, to facilitate the development of small reclamation projects; to Interior and Insular Affairs Committee (p. 3690).
S. 1719, by Sen. Martin, to rescind the authorization of the Libby Dam project; to Public Works Committee (p. 3694). Remarks of author (p. 3695).
by Sen. Murray,
12. WATER-FACILITIES LOANS. S. 1727, to increase and revise the limitation on aid under the Water Facilities Act; to Agriculture and Forestry Committee (p. 3694).
13. EXTENSION SERVICE. H. R. 4789, by Rep. Albert, to consolidate Extension Service authorizations; to Agriculture Committee (p. 3690).
14. PUBLIC LANDS; RESEARCH. H. R. 4792, by Rep. Jarman, to provide for an Army cemetery on USDA lands at Fort Reno, Okla.; to Agriculture Committee (p. 3690).
15. HOLIDAY. H. J. Res. 245, by Rep. Bosch, declaring Inauguration Day a legal holiday; to Judiciary Committee (p. 3690).

ITEMS IN APPENDIX

16. TREATIES. Rep. Busbey inserted Sen. Bricker's recent statement and Frank E. Holman's address before DAR discussing the dangers of the treaty law to the sovereignty of the U. S. (pp. A2205-11).
17. BUDGETING; EXPENDITURES. Rep. Coudert inserted Roswell Magill's statement before the House Government Operations Committee favoring H. R. 2, to attain a balanced budget for the fiscal year 1954 by limiting expenditures to anticipated revenues (pp. A2212-3).
18. ST. LAWRENCE SEAWAY. Rep. Van Zandt inserted a Philadelphia Bulletin article claiming that Canadian officials now favor constructing this project without U. S. participation (p. A2221).

EXEMPTING CERTAIN GOVERNMENT OFFICIALS FROM THE ANNUAL AND SICK LEAVE ACT OF 1951

APRIL 22, 1953.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. REES of Kansas, from the Committee on Post Office and Civil
Service, submitted the following

R E P O R T

[To accompany H. R. 4654]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, line 18, after the period insert the following:

Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment.

This amendment accomplishes two purposes. First, it prevents the receipt under section 2 (a) (3) of the bill of a lump-sum payment for unused leave previously earned by an individual to whom the bill applies who is thereafter either granted leave of absence by the President under authority of the bill or is transferred to another exempted position with respect to which the President has so authorized leaves of absence. Second, it prevents the receipt of lump-sum payments for any unused leave granted to an individual by the President under authority of the bill.

STATEMENT

This legislation will remove members of the President's Cabinet and certain other high officers and employees in the executive branch of the Government from the leave system which covers Federal employees generally. Removal of these officials from such leave

system will place them in substantially the same situation with respect to leave as they occupied prior to 1932, when officers were first grouped with employees in an act relating to leave. It will prevent earning and accrual of leave in the future and in so doing preclude lump-sum terminal leave payment to such officials of the kind which recently aroused widespread public concern.

The bill will immediately exempt from the general leave system approximately 245 officials who are appointed by the President alone, or by the President by and with the advice and consent of the Senate, and who are paid more than the highest rate of pay in the Classification Act of 1949—presently \$14,800 a year. It will also exempt approximately 71 chiefs of mission in the Foreign Service who are appointed or assigned by the President and who are paid \$15,000 or more a year under the Foreign Service Act of 1946.

The President is authorized to grant leaves of absence with pay to individuals who otherwise would have no such leave as a result of this legislation, but the authority to grant such leaves of absence does not constitute authority to establish a new leave system or to make lump-sum payments for unused leave authorized by the President. Chiefs of mission in the Foreign Service will continue to receive home leave as authorized by section 203 (f) of the Annual and Sick Leave Act of 1951, which provides that such home leave shall not form the basis for any lump-sum payment.

The bill contains provisions which prevent the acceleration of the time of payment for annual leave accrued prior to the time the bill becomes applicable to any individual. The Assistant Comptroller General testified that, in his opinion, the officers and employees which this bill affects have a vested right to annual leave already accrued. The bill does not disturb this right but the committee desires to make clear that lump-sum payments with respect to such accrued annual leave will not be payable upon the effective date of the bill. Such payments will be made at some future time to those who are entitled thereto upon (1) separation of the officer or employee from the Federal service, (2) death of the officer or employee, or (3) transfer of the officer or employee (subsequent to the time the bill becomes applicable to him) to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951.

ANALYSIS OF THE BILL

Section 202 (b) (1) of the Annual and Sick Leave Act of 1951 contains a list of those officers and employees of the United States and of the government of the District of Columbia who are exempted from such act. Subsection (a) of the first section of the bill amends such section 202 (b) (1) by adding to such list of exemptions all officers and employees in the executive branch of the Government (except those in the Foreign Service of the United States) who are appointed by the President, either alone or by and with the advice and consent of the Senate, and whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended. At present such maximum rate is \$14,800.

Subsection (b) of the first section of the bill amends section 202 (b) of the Annual and Sick Leave Act of 1951 by adding thereto a new

paragraph which provides that such act, except section 203 (f) thereof, shall not apply to chiefs of mission in the Foreign Service who receive compensation at one of the rates authorized in section 411 of the Foreign Service Act of 1946. The rates now authorized in such section 411 are \$25,000, \$20,000, \$17,500, and \$15,000. Section 203 (f) authorizes the granting of leaves of absence to personnel of the Foreign Service stationed abroad, for use in the United States, its Territories or possessions. It is provided in such section 203 (f) that no such leave shall be the basis for any lump-sum payment.

In conformity with the definition of the term "chief of mission" contained in section 121 (9) of the Foreign Service Act of 1946, subsection (b) covers those principal officers appointed by the President, by and with the advice and consent of the Senate, to be in charge of an embassy, legation, or other diplomatic mission of the United States and those officers assigned by the President under authority of section 501 (b) of such act to serve as minister resident, *chargé d'affaires*, commissioner, or diplomatic agent for such period as the public interest may require, who are receiving compensation at one of the foregoing rates. The subsection does not cover Foreign Service officers authorized to act as *chargé d'affaires ad interim*.

Subsection (c) of the first section of the bill authorizes the President, in his discretion, to provide for leaves of absence with pay for any officers and employees who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill. The authority of the President under this subsection is not to affect leaves of absence which may be granted to chiefs of mission in the Foreign Service under section 203 (f) of the Annual and Sick Leave Act of 1951. The subsection, as amended by the committee, also states specifically (1) that the granting by the President of leaves of absence with pay shall not constitute a leave system, and (2) that no lump-sum payments shall be made with respect to unused leaves of absence which have been authorized by the President under this subsection.

Subsection (c) protects those officers and employees who, unless the President authorizes leaves of absence with pay for them, might find themselves in a position where they could not take any leave with pay. It is not anticipated that the President will act under this subsection with respect to any officer who is entitled to the compensation attached to his office by virtue of his status as an officer.

Subsection (a) of section 2 of the bill suspends the entitlement of those officers and employees, who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill, to liquidation by lump-sum payment, during the period of their exemption from such act, of the accumulated and current accrued annual leave to which they are entitled immediately prior to their exemption from such act.

This subsection provides for the liquidation by lump-sum payment of such accumulated and current accrued annual leave only in the case of those exempted officers and employees who, after the expiration of the period in which they are within the class of officers and employees so exempted, do not again become subject to the Annual and Sick Leave Act of 1951 without any break in the continuity of their service and who are not separated from such exempted service in order to enter upon active service in the Armed Forces of the United

States. The accumulated and current accrued annual leave to which any such officer or employee is so entitled is to be liquidated, by lump-sum payment at the rate of compensation which he was receiving immediately prior to his exemption from the Annual and Sick Leave Act of 1951, if, while he is within the class of such exempted officers and employees, he is separated from the service, dies, or is transferred out of the exempted service to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951.

Subsection (b) of section 2 applies only to those officers and employees exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill who, after the expiration of the period in which they are within the class of officers and employees so exempted, again become subject to the Annual and Sick Leave Act of 1951 without any break in the continuity of their service.

If any such officer or employee again becomes subject to such act without any break in the continuity of his service, he is entitled under subsection (b) to the same amount of accumulated and current accrued annual leave to which he was entitled immediately prior to his exemption from such act as if he had been continuously subject to such act. Any liquidation by lump-sum payment of such accumulated and current accrued annual leave of any such exempted officer or employee who again becomes subject to the Annual and Sick Leave Act of 1951 in such manner would be at the rate of compensation which he was receiving immediately prior to his separation, death, or transfer to a position under a leave system other than the leave system provided by such act.

Subsection (b) also provides that the amount of accumulated and current accrued sick leave to which any such exempted officer or employee is entitled immediately prior to his exemption is preserved only if, at the conclusion of his exempted service, he again becomes subject to the Annual and Sick Leave Act of 1951 without any break in the continuity of his service.

Subsection (e) of section 2 applies only to those exempted officers and employees who are separated from the service in order to enter upon active service in the Armed Forces of the United States. The subsection grants any such officer or employee the right to receive compensation covering the accumulated and current accrued annual leave to which he was entitled immediately prior to his exemption from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill or the right to have such annual leave remain to his credit until his return from active service in the Armed Forces, as he may elect. This right of election is the same as is granted under existing law to officers and employees who are subject to the Annual and Sick Leave Act of 1951.

Section 3 of the bill provides that the bill shall take effect on the first day of the first pay period which begins after the date of enactment of the bill. The effect of section 3 is that the bill becomes effective, with respect to each officer and employee exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill, on the first day of the first pay period applicable to such officer or employee which begins after the date of enactment of the bill.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 202 (b) OF THE ANNUAL AND SICK LEAVE ACT OF 1951 (TITLE II OF PUBLIC LAW 233, 82D CONG.)

COVERAGE AND EXEMPTIONS

SEC. 202. (a) * * *

(b) (1) This title shall not apply to—

(A) teachers and librarians of the public schools of the District of Columbia;

(B) part-time officers and employees (except hourly employees in the field service of the Post Office Department) for whom there has not been established a regular tour of duty during each administrative workweek;

(C) temporary employees engaged on construction work at hourly rates;

(D) employees of the Canal Zone Government and the Panama Canal Company when employed on the Isthmus of Panama;

(E) commissioned officers of the Public Health Service;

(F) commissioned officers of the Coast and Geodetic Survey;

(G) doctors, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration;

(H) officers and employees of the Senate and House of Representatives; **[and]**

(I) officers and employees of any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private **[interests.]** *interests*;

(J) *any officer or employee in the executive branch of the Government appointed by the President, by and with the advice and consent of the Senate, or by the President alone, whose rate of basic compensation exceeds the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended.*

Subparagraph (J) shall not apply to the personnel of the Foreign Service of the United States.

(2) This title, except section 203 (g), shall not apply to alien employees who occupy positions outside the several States and the District of Columbia.

(3) Section 204 of this title shall not apply to officers and members of the Metropolitan Police and the Fire Department of the District of Columbia.

(4) *This title, except section 203 (f), shall not apply to chiefs of mission in the Foreign Service of the United States who receive compensation at one of the rates authorized in section 411 of the Foreign Service Act of 1946 (22 U. S. C., sec. 866).*



83^D CONGRESS
1ST SESSION

H. R. 4654

[Report No. 309]

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 1953

Mr. REES of Kansas introduced the following bill; which was referred to the Committee on Post Office and Civil Service

APRIL 22, 1953

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in *italic*]

A BILL

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 202 (b) (1) of the Annual and Sick
4 Leave Act of 1951 is amended by striking out “and” at
5 the end of subparagraph (H), and by striking out the
6 period at the end of subparagraph (I) and inserting in lieu
7 thereof a semicolon and the following:

8 “(J) any officer or employee in the executive
9 branch of the Government appointed by the President,
10 by and with the advice and consent of the Senate, or by

1 the President alone, whose rate of basic compensation
2 exceeds the maximum rate provided in the General
3 Schedule of the Classification Act of 1949, as amended.
4 Subparagraph (J) shall not apply to the personnel of the
5 Foreign Service of the United States.”

6 (b) Section 202 (b) of the Annual and Sick Leave
7 Act of 1951 is amended by adding at the end thereof the
8 following:

9 “(4) This title, except section 203 (f), shall not apply
10 to chiefs of mission in the Foreign Service of the United
11 States who receive compensation at one of the rates
12 authorized in section 411 of the Foreign Service Act of
13 1946 (22 U. S. C., sec. 866).”

14 (c) The President, in his discretion, may authorize
15 leaves of absence with pay to any officers and employees
16 who are exempted in whole or in part from the Annual and
17 Sick Leave Act of 1951 as a result of the enactment of this
18 Act. *Leaves of absence authorized under this subsection*
19 *shall not constitute a leave system, and no such leave of*
20 *absence which is not used shall be made the basis for any*
21 *lump-sum payment.* This subsection shall not affect leaves
22 of absence which may be granted to chiefs of mission in the
23 Foreign Service of the United States under section 203 (f)
24 of such Act.

25 SEC. 2. (a) The accumulated and current accrued an-

1 nual leave to which any officer or employee exempted in
2 whole or in part from the Annual and Sick Leave Act of
3 1951 as a result of the enactment of this Act is entitled im-
4 mediately prior to the date this Act becomes applicable to
5 him shall be liquidated by a lump-sum payment at the rate
6 of compensation which he was receiving immediately prior to
7 such date only upon (1) the separation of such officer or em-
8 ployee from the service, (2) the death of such officer or
9 employee, or (3) the transfer of such officer or employee to a
10 position under a leave system other than the leave system
11 provided by the Annual and Sick Leave Act of 1951.

12 (b) In the event any such exempted officer or em-
13 ployee, without any break in the continuity of his service,
14 again becomes subject to the Annual and Sick Leave Act
15 of 1951 upon the completion of his service as an exempted
16 officer or employee, such officer or employee shall be en-
17 titled to the annual and sick leave to which he is entitled
18 immediately prior to the date this Act becomes applicable
19 to him, in the same manner and to the same extent as though
20 he had been continuously subject to the Annual and Sick
21 Leave Act of 1951.

22 (c) In the event any such exempted officer or employee
23 is separated from the service to enter upon active service
24 in the Armed Forces of the United States, such officer or
25 employee shall be entitled (1) to receive compensation

1 covering the accumulated and current accrued annual leave
2 to which he is entitled immediately prior to the date this Act
3 becomes applicable to him, or (2) to elect to have such leave
4 remain to his credit until his return from active service in
5 the Armed Forces.

6 SEC. 3. This Act shall take effect on the first day of
7 the first pay period which begins after the date of enactment
8 of this Act.

A BILL

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

By Mr. REES of Kansas

APRIL 16, 1953

Referred to the Committee on Post Office and Civil Service

APRIL 22, 1953

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued April 27, 1953
For actions of April 24-5, 1953
33rd-1st, Nos. 73 and 74

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HIGHLIGHTS: House rejected bill for price supports on 1952 Md. tobacco. House committee reported daylight-saving time bill. Rep. Elliott deplored interest-rate increase on price-support loans. Rep. Laird inserted Secretary's statement before appropriations subcommittee. Sen. Morse defended REA program.

HOUSE - April 24

1. TOBACCO PRICE SUPPORTS. Rejected, 110-212, H. R. 1432, to provide price supports for the 1952 crop of Maryland tobacco (pp. 3875-98). Rejected, 62-129, an Abernethy amendment to provide for such supports only in the case of persons who voted for quotas for the 1952 crop (pp. 3895-7).
2. DAYLIGHT-SAVING TIME. The D. C. Committee reported with amendment H. R. 4363, to authorize the D. C. Commissioners to establish daylight-saving time in D. C. this year (H. Rept. 317)(p. 3899). Rep. Bender spoke in favor of the bill. Rep. Miller, Nebr., announced that the bill will be considered today (p.3898).
3. PRICE SUPPORTS. Rep. Elliott deplored the recent increase in interest rates on price-support loans (p. 3898).
4. FARM PROGRAM. Rep. Marshall inserted a news report indicating that USDA officials are concerned about the effect of the marginal producer on farm programs (p. 3898).
5. PERSONNEL; PAYROLLING. Received from the Department a proposed bill to relieve certifying officers and payees in the case of certain Polish nationals who were erroneously retained as PMA employees after a new citizenship requirement became effective; to Judiciary Committee (p. 3899). Also received in the Senate; to Judiciary Committee(p. 3901).
6. ADJOURNED until Mon., Apr. 27 (p. 3898). Legislative program for this week, as

announced by Majority Whip Arends, D. C. legislation, including daylight-savings time, is to be debated today (Mon.), followed by general debate on the Interior appropriation bill. Debate on the Interior bill is to continue Tues. and Wed. (p. 3898).

7. PERSONNEL. As reported (see Digest 71), H. R. 4654 exempts from the general annual and sick leave system about 245 officials who are appointed by the President alone, or by the President with Senate confirmation, and who are paid more than the highest rate under the Classification Act (\$14,800). It also exempts certain major officials in the Foreign Service. The President is authorized to grant leaves of absence with pay to individuals who would have no such leave as a result of the bill, but this does not constitute authority to establish a new leave system or to make lump-sum payments for unused leave authorized by the President. Lump-sum payments on leave already accrued for these people would not be paid until they leave their jobs.

SENATE - April 24

8. SUBMERGED LANDS. Continued debate on S. J. Res. 13, to establish State title to submerged lands (pp. 3901, 3905, 3920-59). Sen. Morse spoke in favor of a sustained yield program for timber cutting and a sound general conservation program to maintain the strength of the country (pp. 3946-7, 3950-1).
9. COST-OF-LIVING ALLOWANCES. Received from the Commerce Department a proposed bill to permit cost-of-living allowances outside continental U. S. at rates in excess of 25% of the rate of basic pay; to Post Office and Civil Service Committee (p. 3901).
10. FOREIGN TRADE. Received a R. I. General Assembly resolution urging protection from the "destructive effect of competition by cheap foreign labor" (p. 3902).
11. SCHOOL LUNCH PROGRAM. Sen. Langer inserted a local PTA telegram advocating an \$83 million appropriation for this program (pp. 3904-5).
12. IMMIGRATION. Sen. Lehman inserted his statement and a New York Times editorial commending the President's recommendation to permit entrance of 240,000 refugees into the U. S. (p. 3904).

SENATE - April 25

13. RENT CONTROL. Passed without amendment H. R. 4507, to extend general rent control until July 31, 1953, and to provide for rent control in critical areas until April 30, 1954 (pp. 4010-16). This bill will now be sent to the President.
14. SUBMERGED LANDS. Continued debate on S. J. Res. 13, to establish State title to submerged lands (pp. 3961-4001, 4009-10, 4016-41). Sen. Morse digressed from his speech on this measure to outline a history of REA and to praise its achievements (pp. 3984-91). Sens. Hill and Murray also discussed some benefits of REA (p. 4032).
15. FARM PROGRAM. Sen. Mansfield inserted Sen. Monroney's speech criticizing recent statements by Under Secretary Morse and CCC President Davis expressing concern about the effect of the marginal farmer on farm programs (p. 3999).
16. FOREIGN AID. Sen. Wiley spoke in favor of restoring funds for the U. N. International Children's Emergency Fund and inserted a national PTA letter on this matter (pp. 4001-2).

ager of RKO Radio Pictures, Inc., distributor of RKO pictures, New York. Mr. Zimmerman testified with respect to the film distribution policies and procedures of RKO distributors, and answered complaints of ex-

hibitors, heard earlier by the subcommittee, with particular regard to the alleged fixing of minimum admission prices of pictures produced by Walt Disney and Samuel Goldwyn. Hearings continue tomorrow.

House of Representatives

Chamber Action

The House was not in session today. Its next meeting will be held on Thursday, April 30, at 12 o'clock noon, when the House will consider H. R. 4654, regarding lump-sum leave payments for Government officials (if a rule is granted).

Committee Meetings

AGRICULTURAL CONSERVATION

Committee on Agriculture: Robert M. Salter, Chief of the Soil Conservation Service, concluded his testimony regarding the land and water resources of the Nation—with their conservation needs—and some of the problems involved in protecting and improving them for an efficient production on a sustained basis. Other officials of the Department of Agriculture who met for discussions today on soil conservation and watershed programs were Frank Parker, Bureau of Plant Industry; Erwin C. Elting, Office of Experiment Stations; and C. M. Ferguson, Extension Service. Hearings will be continued tomorrow.

DOCTORS' DRAFT

Committee on Armed Services: Agreed to report to the House, as amended, H. R. 4495, to amend the Universal Military Training Act so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories.

EXPORT REGULATIONS

Committee on Banking and Currency: Ordered reported to the House H. R. 4882, providing for continuation of authority for regulation of exports. Prior to this action Samuel W. Anderson, Assistant Secretary of Commerce for International Affairs, urged favorable committee consideration.

TAFT-HARTLEY LAW

Committee on Education and Labor: Continued its hearings regarding proposed changes to the Labor-Management Relations Act, and heard Representative Bailey, of West Virginia, speak in support of his bill (H. R. 3361) which would repeal the injunctive provisions relating to unfair labor practices; and the injunctive provisions granting priority to cases relating to boycotts and strikes to force recognition of uncertified labor organizations. It would provide that the power of the NLRB shall be exclusive to prevent unfair labor

practices and that State courts are not to inject themselves into this field.

Another witness, William W. Miller, director of industrial relations, Stewart-Warner Corp., outlined his experiences with the 11 unions that have contracts with his company, and how some of the unions became dominated by Communists. He advocated a stronger provision than the present one to deal with communism in labor unions—stating that in discharging a known Communist from a company is a just cause for said discharge, and should be a complete defense to any unfair labor practice charge. He also urged the committee to reject a proposed amendment which would strike from the present bill the section prohibiting from voting in representation elections those employees on strike who are not entitled to reinstatement. Edward J. Fahy, representing the Rockford (Ill.) Chamber of Commerce, recommended retention and strengthening of most all provisions of the present statute, and requested that the law be applied in keeping with the intent of Congress. Hearings will be continued tomorrow morning.

NATO CONFERENCES

Committee on Foreign Affairs: Harold E. Stassen, Director for Mutual Security, reported today in executive session on the recently concluded NATO meetings. His testimony, following that of Secretary Dulles yesterday, dealt with the specific operations of the mutual security program in connection with the NATO conferences. Chairman Chipfield announced that he outlined the definite results, and concluded his testimony by stating that "there are many difficulties ahead, but much mutual defense progress has been made, and there is a determination and a rising confidence which favorably reflects the effective leadership which President Eisenhower has given in his earlier role, and is giving now as exemplified in his April 16, 1953, address which has been read and studied around the world."

STATE DEPARTMENT

Committee on Government Operations: The Brownson Subcommittee on International Operations began hearings on the John C. Montgomery tragedy of January 23. Montgomery, head of the Finnish Desk at the State Department, was ruled a suicide on that date when he was found hanged at his residence in Washington. Chairman Brownson stated that the Montgomery case, and other related State Department personnel procedures, were to be considered during this study. Testimony by Selective Service Director Lewis B. Hershey

disclosed that Montgomery had been classified as 4-F in 1942 as a psychoneurotic. Chairman Brownson said that apparently the State Department was not cognizant of the employee's military rejection, and that his subcommittee is interested in finding out whether these procedures have been straightened out. He added that it was his understanding that the Department has already taken steps to improve the situation. Other witnesses today were the following officials of the Department of State—John W. Ford, Director, Office of Security; Robert W. Scott McLeod, Administrator, Bureau of Security and Consular Affairs; and Arch K. Jean, Chief, Division of Departmental Personnel. Hearings were recessed until tomorrow afternoon, when further testimony will be received from State Department officials.

SANTA MARIA PROJECT

Committee on Interior and Insular Affairs: Subcommittee on Irrigation and Reclamation considered, but took no final action on, H. R. 2235 and 2259, to authorize \$16,982,000 for construction of the Santa Maria project, Southern Pacific Basin, Calif. Speaking in favor of the proposed legislation were Representative Bramblett, author of H. R. 2235; John S. Hamilton, planning engineer, Bureau of Reclamation, Goleta, Calif.; William N. Hollister, chairman, Santa Barbara County Water Agency; and L. H. Adam, president, Santa Maria Water Conservation District. Hearings will be continued tomorrow.

FLAMMABLE PRODUCTS

Committee on Interstate and Foreign Commerce: Concluded hearings on H. R. 389, 2768, 3851, 4159, and 4500, similar bills which would prohibit the manufacture, importation, sale, etc., in interstate and foreign commerce, of any article of wearing apparel—except hats, shoes, and gloves with certain limitations—which is so highly flammable as to be dangerous when worn. At today's session testimony was received from the following witnesses: Henry Miller, Assistant General Counsel, Federal Trade Commission, Washington, D. C.; Charles W. Dorn, National Retail Dry Goods Association, Washington, D. C.; Erwin Feldman, director, Council of National Association of House Dress Manufacturers, New York City; Donald C. Hays, attorney, Society of the Plastics Industry, Inc., New York City; Leonard Rovins, general counsel, National Retail Dry Goods Association, New York City; W. Ray Bell, president, Association of Cotton Textile Merchants of New York; Ephraim Freedman, director, Macy's Bureau of Standards, Retail Dry Goods Association of New York, and New York State Council of Retail Merchants, New York, N. Y.; Matthew H. O'Brien, Rayon and Acetate Fiber Producers, New York City; W. P. Fickett, president, Textile Fabrics Association, and National Association of Button Manufacturers, New York City; and Kenneth F. McClure, Assistant Solicitor, Department of

Commerce. Statements for the record were filed by the following: Henry C. Ball, executive vice president, Tufted Textile Manufacturers Association, Dalton, Ga.; Philip W. Schindel, secretary-treasurer, Retail Merchants' Association of New Jersey, Montclair, N. J.; David L. Kreeger, Silk and Rayon Printers and Dyers Association of America, Inc., Washington, D. C.; and Ely Kushel, of Weil, Gotshal & Manges, Washington, D. C.

JUSTICE DEPARTMENT

Committee on the Judiciary: The Keating subcommittee which is investigating the administration of the Department of Justice began an inquiry today into the Justice Department's handling of indictments against Roy E. Crummer, a Topeka, Kans., bond dealer. The case against Crummer and 10 associates, on charges of using the mails to defraud Florida bondholders, was dismissed in June 1946. Testifying at the session were Roy Frank, former Assistant Solicitor for the Post Office Department; and Alexander J. Brown, Jr., an SEC investigator who had worked on the case. Following the open session, the subcommittee met executively. Open hearings will be resumed tomorrow morning.

CLAIMS

Committee on the Judiciary: Held hearing on H. R. 4340, a private bill, and heard testimony on behalf of the measure from Ward Cameron of the State Department; and Joseph Schoen and Matthew Hale, of Mutual Security Administration.

Also considered H. R. 2396, a private bill, and heard testimony from Howard Bernstein and Frank M. Gerardi of the Veterans' Administration.

ROYALTY ADJUSTMENTS

Committee on the Judiciary: Subcommittee No. 3 concluded hearings on H. R. 2560, extending provisions relating to royalty adjustments for Federal use of inventions for duration of national emergency proclaimed by President on December 16, 1950, and for 6 months thereafter. Witnesses appearing were R. S. Milans, head, Contract and Royalty Negotiations Branch, Office of Naval Research; Fritz G. Lanham, Washington, D. C.; Francis W. Parker, Jr., representing the Patent Law Association of Chicago and the Chicago Bar Association; Armand Cyr, director of legislative research, National Patent Council, Gary, Ind.; W. R. Ballard, adviser to committee on patents, National Association of Manufacturers, Washington, D. C.; Robert V. Morse, Ithaca, N. Y.; C. Willard Hayes, American Patent Law Association, Washington, D. C.; and Harry H. Hitzeman, patent lawyer, Chicago, Ill.

NATIONAL HIGHWAY STUDY

Committee on Public Works: The McGregor Subcommittee on Roads continued its public hearings and received views in connection with Federal aid to highways

CONSIDERATION OF H. R. 4654

APRIL 29, 1953.—Referred to the House Calendar and ordered to be printed

Mr. ALLEN of Illinois, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 223]

The Committee on Rules, having had under consideration House Resolution 223, reports the same to the House with the recommendation that the resolution do pass.



House Calendar No. 39

83^D CONGRESS
1ST SESSION

H. RES. 223

[Report No. 332]

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1953

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the Union
4 for the consideration of the bill (H. R. 4654) to provide for
5 the exemption from the Annual and Sick Leave Act of 1951
6 of certain officers in the executive branch of the Government,
7 and for other purposes. After general debate, which shall
8 be confined to the bill, and shall continue not to exceed one
9 hour, to be equally divided and controlled by the chairman
10 and ranking minority member of the Committee on Post
11 Office and Civil Service, the bill shall be read for amend-
12 ment under the five-minute rule. At the conclusion of the

1 consideration of the bill for amendment, the Committee shall
2 rise and report the bill to the House with such amendments
3 as may have been adopted, and the previous question shall
4 be considered as ordered on the bill and amendments thereto
5 to final passage without intervening motion except one
6 motion to recommit.

House Calendar No. 39

83d CONGRESS
1st Session

H. RES. 223

[Report No. 332]

RESOLUTION

Providing for the consideration of H. R. 4654,
a bill to provide for the exemption from the
Annual and Sick Leave Act of 1951 of cer-
tain officers in the executive branch of the
Government, and for other purposes.

By Mr. ALLEN of Illinois

APRIL 29, 1953
Referred to the House Calendar and ordered to be
printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

May 1, 1953
April 30, 1953
83rd-1st, No. 78

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HIGHLIGHTS: House passed bill to exempt top officials from leave system. House committees reported State-Justice-Commerce appropriation bill, export-control bill, and resolution for debate on cotton-exports bill. Senate committee ordered reported 3rd supplemental appropriation bill. Sen. Carlson asked that beef parity price be figured on grade basis.

HOUSE

1. PERSONNEL. Passed as reported H. R. 4654, to exempt certain major officials from the annual and sick leave systems (pp. 4400-9). For provisions of this bill, see Digest 73.
2. EXPORT CONTROL. The Banking and Currency Committee reported without amendment H. R. 4882, to continue export-control authority from June 30, 1953, until June 30, 1956 (H. Rept. 335)(p. 4419). The Rules Committee reported a resolution for consideration of this bill (p. 4396).
3. APPROPRIATIONS. The Appropriations Committee reported H. R. 4974, the State, Justice, Commerce appropriation bill for 1954 (H. Rept. 341)(p. 4419).
4. COTTON EXPORTS. The Rules Committee reported a resolution for consideration of H. R. 4465, to provide for war-risk insurance on exported cotton, etc. (p.4419).
5. REORGANIZATION. Received from the President a reorganization plan to provide for a single managing director for the Export-Import Bank; to Government Operations Committee (H. Doc. 135)(pp. 4409-10). Also received in the Senate (p. 4358).
6. ADJOURNED until Mon., May 4 (p. 4419). Rep. Halleck announced the legislative program for next week: Mon., consent calendar and SJC appropriation bill; Tues., private calendar and SJC appropriation bill; Wed., memorial services; Thurs. and Fri., SJC bill, cotton-exports insurance, and export-control continuation (p. 4414).

SENATE

7. EXPORT CONTROL. The Banking and Currency Committee reported with amendment S. 1739, to continue export-control authority (S. Rept. 207)(p. 4353).

8. THIRD SUPPLEMENTAL APPROPRIATION BILL, 1953. The Appropriations Committee ordered reported (but did not actually report) with amendments this bill, H. R. 4664 (p. D344).
9. FOREIGN TRADE. The Banking and Currency Committee reported with amendment S. Res. 25, providing for an investigation of means to expand foreign investment and trade, and the resolution was referred to the Rules and Administration Committee (S. Rept. 208)(p. 4353).
10. SUBMERGED LANDS. Continued debate on S. J. Res. 13, to establish State title to submerged lands (pp. 4349-52, 4358-92).
11. BEEF PARITY PRICE. Sen. Carlson spoke favoring the establishment of beef parity prices on a grade basis, urged the Secretary to review the present method of figuring parity based on present-day costs, and inserted A. G. Pickett's (Kans. Livestock Assn.) article on this subject (p. 4357).
12. PRICE SUPPORTS; IMPORT CONTROL. Received a Calif. Legislature resolution favoring import controls to protect price supports (p. 4353).
13. WATER UTILIZATION. Received a Hawaii Legislature resolution urging study of Hawaii water resources (p. 4353).

BILLS INTRODUCED

14. EDUCATION. S. 1802, by Sen. Mundt (for himself and others), to amend certain provisions of the United States Information and Educational Exchange Act of 1948 relating to exchange programs; to Foreign Relations Committee. Remarks of author. (p. 4354.)
15. COST-OF-LIVING ALLOWANCES. S. 1803, by Sen. Carlson, to permit payment of certain cost-of-living allowances outside continental U. S. at rates in excess of 25% of basic pay; to Post Office and Civil Service Committee (p. 4354).
16. OLEOMARGARINE. S. 1806, by Sen. Stennis (for himself and Sen. Goldwater), to amend the Navy ration statute so as to provide for serving oleomargarine or margarine; to Armed Services Committee (p. 4354).
17. IMMIGRATION. H. R. 4925, to authorize immigration of 240,000 additional persons; also H. R. 4935, by Rep. Javits; to Judiciary Committee (pp. 4419-20).
18. LAND TRANSFER. H. R. 4928, by Rep. Canfield, to authorize USDA to convey a land tract to Clifton, N. J.; to Agriculture Committee (p. 4420).
19. FOREST ROADS. H. R. 4929, to provide for an adequate system of timber access roads to and in the national forests through Treasury loans to USDA; to Agriculture Committee (p. 4420).
20. PRICES. H. R. 4931, by Rep. Graham, to promote competition by clarifying laws relating to trade regulation and pricing methods and policies; to Judiciary Committee (p. 4420). Remarks of author (pp. A2419-20).
21. PERSONNEL. H. R. 4937, by Rep. Jonas, Ill., to exempt from income tax certain retirement annuities; to Ways and Means Committee (p. 4420).
H. R. 4948, to permit retirement after 25 years' service of certain personnel who have incurred disability in the armed forces; to Post Office and Civil Service Committee (p. 4420).

throughout the world might muster and throw against us.

Yet, within the past few years we have seen irrefutable proof that communism has gained tens of thousands of disciples here in America. We have seen the flower of American manhood carry on for nearly 3 years a fight against Communist forces in Korea, which has cost us 34,303 in dead and missing, and total casualties of 133,787, yet the battlefield remains almost at the same place it was located when this war started on June 25, 1950.

So the fact is being forced upon us that freedom and liberty are blessings which can be lost through apathy and indifference, and that victory on the battlefield for the cause which is just does not follow as a matter of course. It is achieved by those who are prepared, who plan their strategy best, who have adequate equipment and supplies, and who have the courage and will to fight to victory.

Mr. Speaker, I make these remarks to emphasize the fact that affirmative action is needed to counteract the demonstrations which are made by the loud and vocal subversive minorities on such occasions as their May Day demonstrations. I make them also to call attention to the fact that tomorrow will be observed as Loyalty Day in many places and in various ways.

In my home State of Georgia, the Veterans of Foreign Wars have created a State committee for the celebration of May 1 as Loyalty Day, which committee is headed by Mr. Charles A. Moran, of Atlanta, Ga., as chairman of the department of Georgia committee to celebrate Loyalty Day 1953. That committee advises me that Governor Talmadge, of Georgia, who is a member of Post 3027, Veterans of Foreign Wars, has issued a Loyalty Day proclamation, requesting all good citizens to participate in the observation of Loyalty Day by rededicating themselves to the American way of life. He points out that as the world is passing through one of the crucial periods of history, the uncertainty of the immediate future is such that every loyal American citizen should take an open, positive stand for freedom and democracy.

The VFW commander of the department of Georgia, Mr. Asa D. Kelly, Jr., of Albany, issued a statement in which he says:

Loyalty Day will be a mass reaffirmation of loyalty to God, our country, our flag, and to our beloved State of Georgia—a rededication of our people to those principles upon which our country was founded.

I join with these veterans of our wars, and with patriotic Americans from every walk of life, and in every section of our country in reaffirming these principles of loyalty, and in rededicating ourselves on this Loyalty Day to the preservation of our country, our Government, and the freedom, liberty, and opportunity which that Government guarantees to all within its jurisdiction.

RELEASING PRISONERS OF WAR

(Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KERSTEN of Wisconsin. Mr. Speaker, according to an Associated Press report, Lt. Gen. William K. Harrison, chief Allied negotiator in Korea, today warned the Communists that the Allies might release 32,000 North Korean POW's whom we now hold and who have stated they will violently resist repatriation.

This is an excellent start in the right direction but we should go further and actually release those anti-Communist POW's immediately.

This would resolve the entire POW issue and could cause no protest by the Communists since, as Lieutenant General Harrison points out, we would be following a pattern already created by the Reds in releasing thousands of POW's whom they captured.

Such an action, furthermore, would be in conformity with our promise to those POW's when we bombed Communist troops with surrender leaflets. In these leaflets we promised freedom to the soldiers who surrendered to us. Here are some excerpts from the U. N. surrender leaflets which we dropped on the Communist troops:

Most of you were not Communists. You were forced by a few Communist leaders to fight and be sacrificed for Russia. Why should you continue to do this? Join the United Nations side for freedom and prosperity.

Bring your fellow soldiers over to the U. N. forces: Good food, good treatment, and eventual freedom await you.

Choose the road that leads to safety and life. Escape your unit now and come to U. N. lines.

The day of liberation will surely come.

The day of liberation will come. A little more patience in adversity. Trust us. You will enjoy your former freedom.

According to Brig. Gen. Robert A. McClure, former Chief of Psychological Warfare, United States Army, more than 30 percent of the POW's we hold were thus influenced by our leaflets to surrender.

We have already been too long negligent in fulfilling our promise—most of these POW's have been languishing in United States stockades for more than 2 years.

We should also release the Chinese POW's who refuse to return to their homelands and permit them to go to Formosa if they so desire.

The release of these POW's would also lend material substance and reliability to the recent offer of Gen. Mark Clark of \$50,000 and freedom for any enemy pilot who surrenders to us with his jet aircraft. Unless we release the POW's whom we now hold and to whom we already promised freedom, it might be wrongly concluded that we will not fulfill our new promise. Or even if we do that we are more interested in a piece of machinery than in a human being. We can show that we are equally interested in having an enemy infantryman join our side by giving immediate freedom to the anti-Communist POW's.

The proposal of the Communists that the nonrepatriate POW's be turned over to a neutral nation cannot be acceptable to us since we could then not be sure that these people will not be repatriated against their will. We can remove this

entire subject from further bargaining by their immediate release.

The U. N. has stumbled onto, in the POW issue, the Achilles heel of the Communist empire. We have discovered that in the heat of battle the Communists cannot rely on their unwilling slaves to fight for them. Thus in any future battle, the Communists will constantly fear the loss of their troops to the enemy by voluntary surrender. Recent reports from Korea state that the Communists must dispatch a guard to watch over their patrols lest those soldiers defect to the enemy. Release of the anti-Communist POW's now will strike a crippling blow to the Communist expansion in Asia.

LEAVE OF ABSENCE

Mr. HULL (at the request of Mr. SMITH of Wisconsin) was granted leave of absence for 2 weeks, on account of illness.

TRADE AGREEMENTS ACT

(Mr. SAYLOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, with the opening of House Ways and Means Committee hearings on the extension of the Trade Agreements Act, the public is being subjected to a barrage of propaganda that attacks the philosophy of providing protection for American industries and labor groups against cheap foreign goods. One of the outstanding examples appeared recently in the Wall Street Journal. It was an article with a Caracas, Venezuela, dateline that had all the characteristics of a press release from the offices of an international oil company.

At the outset the article mentioned that there are now more than 20 bills pending before the United States Congress to limit oil imports into this country. Quite appropriately, a quotation bemoaning the consequences of such legislation was taken from an executive of the Creole Petroleum Corp., the Venezuelan subsidiary of the Standard Oil Co. of New Jersey. The writer of the article then proceeded to discuss what he termed "some proposals" to limit United States petroleum imports to 5 percent of domestic production. The fact of the matter is that the 5 percent proposals introduced into this Congress apply exclusively to residual oil, but apparently the writer was determined not to let facts in any way interfere with his campaign in behalf of the oilers.

After citing testimony from another official of the Creole Corp., the writer stated that Venezuela would lose as much as from \$150 million to \$250 million annually if his phantom bill were to become law. A similar editorial in a Washington newspaper earlier this month, while correctly stating that the 5 percent limitation is to be applied to residual oil imports, estimated that the so-called loss to Venezuela would be perhaps \$300 million. Evidently the qualifying word "perhaps" was intended to account for any variance from actual figures, but I frankly do not understand

why publishers permit such exaggerations even in these days of extreme inflation. Here are the facts:

The total value of residual oil imported from both Venezuela and the Netherlands Antilles in 1952 was \$215 million. According to the Balance of Payments Yearbook of the International Monetary Fund, about one-half of the selling price of oil exports remains in Venezuela—which would leave that country with about \$107½ million from last year's sales of residual fuel oil.

If the proposed 5-percent quota limitation were to cut off residual fuel oil shipments by as much as 80 percent, as is anticipated, the highest revenue cut would be \$86 million. But this assumption would still be much too high, since it is based on the theory that there would be no other markets for the residual oil that is now shipped into the United States. The truth is that the United States has been taking 48 percent of the residual oil as against only 4 percent of all other refined products exported from Venezuela and the Netherlands Antilles. Does the Wall Street Journal feel that the United States is obligated to continue to take this waste product—which is not needed here—off the hands of the refiners, who ship the better products to the four corners of the world? Probably so, because the article implies that the profitable disposition of Venezuelan oil—regardless of the harm it might bring to American industry and American workers—is of paramount importance. The article states that our proposals to limit imports have become a subject of discussion on the Plaza Bolivar in the heart of Caracas, at the country club, the Valle Arriba Club, the Hotel Avila, and in the "swank offices of skyscrapers rising from the rubble of demolished tenements."

I would like to say that the same topic is also being discussed right here in the United States, and not necessarily by habitues of country clubs and other lavish lounges and offices. It is being discussed by coal miners who are out of work because imported residual oil is being used in power stations and manufacturing plants that the coal industry has always served and would still be serving if it were not for the underselling of a foreign product by wealthy oil interests. It is being discussed by railroaders who are not working because their job of handling coal traffic has been taken away by ships flying ensigns that many of our own people do not recognize, inasmuch as when they think of a flag they think of the Stars and Stripes. It is being discussed by mothers who have seen their cupboards become bare while a few big oil men more than a thousand miles away live in luxury at the expense of these very people.

Venezuela has only a negligible debt and boasts the highest per capita income in Latin America, the Wall Street Journal continues:

It's a land of balanced budgets, where few pay more than 4 percent income taxes and where a man with an 8½-million annual income need pay only 23 percent to the tax collector. A \$25,000-a-year man pays 4 per-

cent; then there's a sliding scale up to 23 percent for \$8½ million.

Now, let me assure you that I am happy to know that everyone in Venezuela is getting along so well. It is certainly refreshing to hear of a country whose debt is negligible. But it so happens that the United States has a debt of almost \$300 billion. I would like to see that debt substantially reduced. I believe that we should encourage our industrial development wherever possible—even if some of the wealthier nations should object to the idea—for when our people are gainfully employed they are quite willing to contribute their share to the tax revenues.

The Venezuelan who makes \$25,000 a year pays only 4 percent in taxes. The American who makes only one-tenth that amount is required to pay 14 percent in taxes. Of course, he gets by for less if he has a wife and family, but you may be sure that he cannot afford to belong to a country club or to patronize any of the swank hotels if his income is \$2,500 a year. As for the United States citizen who has a taxable income of \$25,000 a year, his contribution to Uncle Sam comes to 42.4 percent. In other words, while the Venezuelan with a like income pays \$1,000 in taxes, the American must pay \$10,610.

Under the circumstances, do you not think that we can assume that the people in Venezuela are going to get along all right even if we reduce the amount of residual oil that is shipped into the United States from that country? Is it not time that we listen to the pleas of our working people rather than to those of the propagandists of the world oil corporations and the bleeding hearts of the State Department.

We are going to hear State Department officials testify along the very lines put into print by the Wall Street Journal and other international-minded publications. They will have statistics showing how other countries need our dollars and how we need their petroleum.

I can tell you that we do not need foreign residual oil in this country. Not a drop of it. We have coal to supply the energy requirements of our industries, and our domestic oil producers will gladly provide whatever amount of residual fuel oil is needed for ships' bunkers.

But will the State Department have figures showing how badly American coal miners and railroaders need dollars, and how many of them have been put out of work as a result of the State Department's ridiculous policies? That Department has sent teams of so-called specialists all over the globe to investigate economic, financial, political, moral, immoral, and psychological conditions, but I have never heard of its sending a single representative into one of the mining or railroad communities in my congressional district to find out what effect the world-saving programs were having on my own people. I, personally, am sick and tired of these policies, and I say that it is time that the elected representatives of the people take the matter into their own hands.

EXEMPTION FROM THE ANNUAL AND SICK LEAVE ACT OF 1951 OF CERTAIN OFFICERS IN THE EXECUTIVE BRANCH

Mr. SCOTT. Mr. Speaker, I call up House Resolution 223, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SCOTT. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH] and yield myself 18 minutes.

(Mr. SCOTT asked and was given permission to revise and extend his remarks.)

Mr. SCOTT. Mr. Speaker, this resolution makes in order consideration of the bill H. R. 4654, which is a bill to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branches of the Government by amending the act by inserting on page 2, line 18, the following sentence:

Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment.

The purpose of this legislation, to be more fully explained by the chairman of the Committee on Post Office and Civil Service, is to remove members of the President's Cabinet and certain other high officers and employees of the executive branch of the Government from the leave system which covers Federal employees generally, and it would leave these persons so removed in substantially the same position such persons would have held in 1932 when these top ranking officers of the Federal Government were grouped for the first time as employees in any act relating to leave.

This bill immediately exempts from the general leave system approximately 245 employees who were appointed by the President alone or by the President with the advice and consent of the Senate and who are paid more than the highest rate paid in the Classification Act which, presently, is \$14,800. It would also exempt approximately 71 chiefs of mission in foreign service who are appointed or assigned by the President and who are paid \$15,000 or more a year

under the Foreign Service Act of 1946. The President under this bill is authorized to grant leaves of absence with pay to individuals who otherwise would have no such leave as a result of this legislation, but the authority to grant such leaves of absence does not constitute authority to establish a new leave system or to make lump-sum payments for unused leave authorized by the President. Chiefs of mission in the Foreign Service will still receive home leave as authorized under the act of 1951; this is not taken away from them.

The bill has some important provisions in it which provide for the acceleration of the time of payment for annual leave so that all of these payments for annual leave accrued up to the effective date of this act should not be interfered with in view of the fact that such action would seem to be *ex post facto*. But it is also felt that such accruals or accelerations should not be made payable at the present time. So the bill provides, as recommended by the Assistant Comptroller General, that officers and employees who have a vested right to annual leave will not be disturbed in that right, but that these lump sum payments will be made at some future time to those who are entitled thereto upon the happening of one of these three events: First, separation of the officer or employee from the Federal service. When he quits he gets it. Second, death of the officer or employee; or, third, transfer of officer or employee after the time the bill becomes applicable to him to a position under a leave system other than the leave system provided by the act of 1951.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. It just occurs to me that the committee realizes it cannot make this action retroactive with respect to rights that have accrued. However, the committee attempts to defer payment. If it cannot make the act retroactive as to rights already accrued how can it make a provision with respect to those rights that have accrued and say it cannot be paid at the present time?

Mr. SCOTT. As I understand it, those rights are not rights which the individual may claim until he does leave the Federal service.

Mr. EBERHARTER. Is that the way it is now?

Mr. SCOTT. Yes. He cannot claim it now until his death or transfer to some other leave system. It preserves his right to receive the payment, but he does not earn any more lump-sum credits, nor do these 245 people, approximately, who will be appointed after the act, earn it at all. That is my understanding. It is the desire to cut the policy-making people out hereafter. We are going to save some money, which perhaps might have been saved some years ago.

The reason for that is, in part due to the disclosure some weeks ago of the fact that a number of very high ranking Federal employees left the Federal service and drew lump sums or bonuses rang-

ing all over the field. Some of their leave pay was as high as seven, eight, or nine thousand dollars. They were Cabinet officers, some of them were extremely wealthy men, and not a one of them, as I recall, declined this bonus from the Federal Government. The total amount which has been quietly withdrawn under a system as to which the public was certainly unaware, exceeded \$780,000. To correct that sort of thing, this bill was introduced.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Texas.

Mr. THOMAS. It is obvious it is the intention of our Civil Service Committee, and no doubt the Rules Committee, to do away or help do away with existing conditions that the gentleman has just referred to that every reasonable person will admit was not proper. It seems to me this bill, H. R. 4654, instead of tightening up really loosens up our existing law.

Let me be specific about that. If you will turn to page 2, line 14, section (c) says:

The President, in his discretion, may authorize leaves of absence with pay to any officers—

And so forth. How much leave of absence is he going to authorize? Under existing law they either take their leave when it comes due after January 1, 1952, or else they do not get any pay for it. Now this act comes along and says that the President, in his discretion, may authorize leaves of absence with pay. How much is he going to authorize?

Certainly, the number of people to whom he can authorize it is limited by this bill, some 200 or 250, as the gentleman has pointed out. But here we come along now and in a good-faith effort, I am sure, on the part of the legislative committee—attempt to do away with this abuse, but in truth and in fact, gentlemen, you have opened the door. Here is a certain party who may have come in during that year at a maximum, say, of 25 or 26 days, and for some good reason you cannot expect the Chief Executive to handle these matters personally; that is putting too big a burden on him, but you could very well say, "Here is a man who is a good man, he has worked hard," and he gets 60 days, 90 days, 4 months, 6 months, or how much? There is no limitation here. Gentlemen, that is what you have done, and in good faith.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Kansas.

Mr. REES of Kansas. The observation made by the gentleman from Texas is appreciated, because I know he is one of those who has given this matter a lot of consideration.

Mr. THOMAS. What I said is absolutely true. Does the gentleman agree?

Mr. REES of Kansas. It is wide open now.

Mr. THOMAS. No.

Mr. REES of Kansas. I think the gentleman knows that the court has held that any one of these appointees can

take off all of the time that he wants to and still draw his pay.

The court had before it the question of a person who was appointed as Recorder of Deeds.

Mr. THOMAS. We are talking about accumulation of annual leave now.

Mr. REES of Kansas. That is right, and he can take all the time he wants to.

Mr. THOMAS. As the law stands today he has either got to use his annual leave when it comes due or else he is going to get pay for it. Under your act here and under this language the President—and I am going to quote—"in his discretion, may authorize"—what?—"leaves of absence with pay." Well, now, what are you doing?

Mr. REES of Kansas. Read the remainder.

Mr. THOMAS. "To any officers and employees who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of this act."

Mr. REES of Kansas. Read on.

Mr. THOMAS. Well, I understand it goes on and says that you are not setting up any leave system. We understand that.

Mr. REES of Kansas. It says, "Leaves of absence authorized under this subsection shall not constitute a leave system."

Mr. THOMAS. Where is the limitation? How much are you going to give him? You say in one breath you are not setting up any system, but in the same breath you leave it wide open to do just exactly that.

Mr. REES of Kansas. What we are saying is that the Presidential appointee is not restricted to the 13 days, but he may be allowed more time at the discretion of the President.

Mr. THOMAS. How much more are you going to give him?

Mr. REES of Kansas. That is under the discretion of the President.

Mr. THOMAS. It could be 6 months or a year, then?

Mr. REES of Kansas. It could be. That is the law now.

Mr. SCOTT. As a matter of fact, what this colloquy illustrates is that the act is not being changed in that respect; that the right of the President to authorize leaves of absence to persons subject to Executive jurisdiction is not changed.

As the bill now reads, it says:

Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment.

The only possibility of abuse, as I see it, is that the President might grant leaves of absence for a longer period than somebody else thinks he should.

Mr. THOMAS. If that is already the law, why go through all this now and reenact it?

Mr. REES of Kansas. What I am calling the attention of the gentleman to again is that under the present law a member of the Cabinet, if he wants to, can take leave, but we are saying here

that he cannot get any lump-sum payment if he does take it. Under what you are doing now, unless you pass this act, you are allowing it, and they have been doing it, and that is drawing these lump-sum payments.

Mr. THOMAS. Under the present law, after January 1, 1943, supposing any calendar year comes up beginning July 1, and on that date one of these officials—I understand there are some 250 or 300 of them—is granted a leave of absence for 1 year, and he takes it, do you mean that under your amendment here he does not get his accumulated leave?

Mr. REES of Kansas. He gets no money.

Mr. THOMAS. What does he get, then? He is paid for the entire year, is he not?

Mr. REES of Kansas. He gets his salary, of course, but he will not get any lump-sum payment.

Mr. THOMAS. Because he has not earned any.

Mr. SCOTT. May I submit that while he is granted this leave, the leave may be granted for a purpose which is entirely within the interest of rendering the best service to the Government of the United States. The leave may be granted to permit an individual to serve temporarily in the armed services or as a consultant or adviser under some leave system other than this. The purpose of providing this is that if you did not have such a provision—consider the negative of it—the question would arise whether such an officer or employee might not find himself in a position where he could not take any leave with pay under any circumstances, and the President, who might require his services in some other capacity, would not be empowered to grant him a leave of absence even, as one gentleman said, of 13 days, unless this provision were in the bill. That is why it is there, as I understand it.

Mr. CLARDY. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Michigan.

Mr. CLARDY. I am almost constrained to go along with our brothers on the other side on one point although I am going to support the bill and the point the gentleman is discussing, because I think he is right.

My criticism of the bill is that it does not go far enough. I have been appalled ever since the scandal developed in which so much was drawn down apparently under authority of the Congress. I am hopeful that this will not be the last of the efforts to cut this thing off. You have gone practically only into the upper levels. I think it ought to be extended all the way. I thought, as one who was merely paying taxes out in my district, that the original purpose of the leave was to protect the health of the people who should have some surcease from their arduous labors here in Washington. Apparently it is being used merely to milk the Treasury. So I hope my good friend from Pennsylvania will introduce another bill or at least consent to some sort of amendment that

will cover everybody from top to bottom.

Mr. SCOTT. I conceive this to be a bill to protect the taxpayer's health. I think that if this abuse cost the taxpayers over \$750,000 it is time we gave some consideration to the more and more sensitive pocketbook nerve of the taxpayer.

May I add this comment to what the gentleman from Nebraska [Mr. MILLER] said earlier today. Perhaps the complaint which we hear on the other side of the aisle to the effect that we are not doing enough is a sort of inverse expression of their true feelings.

Mr. CLARDY. They should have thought about it earlier.

Mr. SCOTT. Yes. Perhaps what they are really complaining about is that we may move a little too fast and save too much money, and the contrast between the 100 days and the 20 years will be so startling, so illuminating to the American people, that when the facts begin to speak for themselves they hope to have some counterpropaganda available for the use of the Democratic National Committee. I think that is possibly the reason for that outburst of yesterday on the part of some of our Democratic colleagues.

Mr. CLARDY. I would like to commend the effort. My complaint is that it does not go quite far enough.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. REES of Kansas. I would like to clarify a little more the situation discussed by the gentleman from Texas. There are two things we are doing here with respect to this paragraph. One is that at least the department head would get the consent of the President. He does not have to do it now. He takes his time off.

Mr. SCOTT. That is right.

Mr. REES of Kansas. We agree he draws his salary even though he is not there, but he does not get the lump-sum payment in addition thereto.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. REAMS].

Mr. REAMS. Mr. Speaker, the discussion now before the House is for a rule to call up a bill, which I think is an excellent bill. I am for it. This bill deals with a limited class of people. This does not affect all of the civil-service people who are employees of the Government. It applies to only a limited group—to perhaps 250 or 300. The purpose of the bill is to tighten up the conditions under which the high-salaried people in the Government have been working, and under which they recently drew what seemed to many people to be an exorbitant amount of money when they left the Government.

But, in all fairness, let us consider the fact that this should not have been a surprise to any Member of the Congress or to anyone else who kept up with the law. The law authorizes these payments very clearly. The question had been brought up in the courts, and there is at least one decision of the

Federal court which says that these had the right to accumulate leave and to get a cash payment in lieu thereof. We, in the committee, as well as others in the Congress and the people generally, do not feel that this should be done. Therefore, this bill provides that these Presidential appointees cannot in the future accumulate leave, and that they must get permission from their superior officer, who, in this case, is the President, before they take a vacation.

That is not the situation now. It is doubtful whether there was any accounting of leave in many cases of the people who drew these large amounts. This bill would at least establish a responsibility in such instances.

I can understand, I believe, the feeling of the people who think this was an improper thing when the officers of the Government who collected these amounts of money for accumulated leave were people who, as the public generally believes, did not need the money and were in high-salaried brackets. But, after all, it was an ethical matter. It was a matter which was entirely within their right to decide. If anyone of these men had stayed off the job for a year's time without doing a lick of work, without even the necessity of obtaining the permission of the President, and if such a person had not been discharged or relieved from his assignment by the President, he still could have drawn his salary. So that is the loose condition of the law, and has been since 1944. It was undoubtedly known to Members of Congress who have been here for a long time. It should have been known to everybody because it had been a subject of decision of the Federal court. It could have been amended in any Congress since 1944.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. REAMS. I am glad to yield to the gentleman.

Mr. McCORMACK. Might I say that this part of the law which enabled these payments to be made, and which justified such payments, was passed in the second session of the 78th Congress. The bill came up by unanimous consent in this body and was passed by unanimous consent. I have the record in my hand. The record shows that our former colleague, Mr. Ramspeck, asked unanimous consent for the present consideration of the bill, H. R. 4918, to provide for the payment to certain Government employees of accumulated or accrued annual leave due to their separation from the Government service. That is the law and it was brought up by unanimous consent, and passed by this body. So the fault lies with the Congress, and any man who received his money, received it under that law. They were not all Democrats, I can assure you of that much. Some whose names were not mentioned, one who is a member of the Cabinet at the present time, received the annual leave or termination pay. They were entitled to it and I defend their right to it. But the question of the correction of such a law is another thing, and as the gentleman well says, the law authorizing such

payment was acted upon by the Congress and passed by the Congress. So far as this House is concerned, it was brought up by unanimous consent and passed by unanimous consent.

Mr. SCOTT. Mr. Speaker, will the gentleman yield to me for a brief observation?

Mr. REAMS. I am very happy to yield.

Mr. SCOTT. I would like to know whether the gentleman from Massachusetts is attempting to say that every action of the Congress is to be defended and is not subject to amendment when abuses develop.

Mr. McCORMACK. The gentleman from Massachusetts never said that. The gentleman from Massachusetts confirmed what the gentleman from Ohio [Mr. REAMS] said, that these men collected their money in accordance with the law and under the law. I called the attention of the House to the fact that the law was passed by unanimous consent.

The SPEAKER. The time of the gentleman from Ohio [Mr. REAMS] has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. REAMS. My position is not to defend anyone who took this money, nor is it to chastise them. It is merely to state that it is an ethical question. The enforcement of ethics is from within and not from without. Therefore, I think we can pass that question of whether or not this was a legal practice, because it very definitely was.

As was stated by my chairman, the gentleman from Kansas [Mr. REES], the committee has unanimously decided that whether it is ethical and proper or not, and most of them felt it was not proper to take this money—we are here to stop that situation right now.

May I say to the gentleman from Texas [Mr. THOMAS] that I feel this does not open the door wider, because this bill deals with a limited class. I think the Congress does not want to encroach on the authority of the President too far. If we lay down rules by which the President must regulate his Cabinet to too great an extent, we are going to destroy the balance of government. This bill seeks to maintain that balance in a way that is effective and proper. If a member of the Cabinet must go to the President and say he wants to take a leave, and if he cannot accumulate it, and he cannot take it in cash, that goes about as far as I want to go in circumscribing the President's authority.

I believe that this is a good bill. It has been carefully considered by the Committee on Post Office and Civil Service. I strongly urge that the rule be adopted and the bill be passed.

Mr. SMITH of Virginia. Mr. Speaker, I yield 15 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

(Mr. McCORMACK asked and was given permission to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, we might just as well know what we are doing today. In view of a lot of publicity

that preceded this bill, I think the RECORD should definitely show whether the Congress was right or wrong several sessions ago. The Congress passed the law under which any person who received their annual leave got it. Prior to the act of 1944 it was confined to employees. The act of 1944 broadened it to include officials. The gentleman from Kansas is aware of it. Whether or not the law from 1944 on is correct, men can honestly differ. But the fact that anyone who obtained his terminal leave was strictly within his legal rights is not to be questioned.

I have no objection to this particular bill if my Republican friends want to put it through. I have no objection to paragraph (c) on page 2, that the gentleman from Texas referred to. I think there is a point in what he says. But I have enough confidence in any man who is President of the United States to know that when he authorizes leave of absence with pay to any officer or employee, that he is going to do it when the circumstances justify it, and he is going to apply the rule of reasonableness. I do not offer it as a suggestion, but if one wanted to be sure, he could put the word "reasonable" before "leave of absence" in line 15 on page 2. I am not going to offer it because I have confidence that the President of the United States or whoever he might delegate this authority to will apply the rule of reasonableness. If however something express is desired I think the word "reasonable" before the word "leaves" would probably be a word not only constituting direction but also a word of limitation.

These men not getting their annual leave to their credit—and they have problems, they are sick at times, and certainly they are entitled to some kind of fair and justifiable consideration; so that part of it does not disturb me, except I recognize that some might abuse it, and it is abuses that bring about these conditions, although I see no abuses so far as anyone being paid what they were entitled to under the law.

Whether or not we want the law to apply to Cabinet officers, Ambassadors, and others covered by the present law is a matter for the Congress to pass upon, and I can see where some Members might be disturbed. But insofar as I am concerned I am not going to be disturbed about it. I think, however, that paragraph (c) of section 2 in some form is vitally important to prevent injustice to this group of officials who are affected by the bill, who have problems in relation to sickness arising, where they are working long hours, as they do. Certainly, Cabinet officers are not confined to certain hours a day, as we all know; nor Ambassadors, nor other officials covered by this bill and there ought to be, in justice to them, some kind of compensatory consideration, and I think the provisions of paragraph (c) are justified for that purpose and justifiably so. If, however, someone wants to insert the word "reasonable" before the word "leaves" I see no objection to it; but I am not going to offer the amendment because I think the language contained in the bill will be carried out in a reasonable way by any

man who is the President of the United States, and at the present time it is President Eisenhower.

When the excitement arose I made some inquiries. I found that the subcommittee on Independent Offices making an inquiry about those who received these payments confined it to those occupying the grade of GS-15 or above, confined it to the period between November 1, 1952, and February 15, 1953, and to those who received more than \$1,000. Now, they have been receiving it since 1944. It might be interesting to find out if somebody is curious, because what they got they got under the law, what they received—who received amounts prior to November 1, 1952. Furthermore, it might be interesting to inquire who on the Cabinet level, or on the Little Cabinet level, or in the level of GS-15 or above received from \$500 up to \$1,000 between November 1, 1952, and February 1953.

I take the position that these men received what the law entitled them to, no matter who they are.

Mr. REES of Kansas. Does the gentleman think that the Congress intended when they enacted that law in 1944, for example, that the postmaster of New York should get \$10,000 in addition to his salary? I am asking what the gentleman thinks? What did he think when he voted for the thing? Did the gentleman think we were doing that sort of thing?

Mr. McCORMACK. We are not talking about what we thought on that occasion; we are talking about the interpretation of the language of Congress. Where the language of the bill is plain and capable of but one construction the intent of Congress does not enter into it; it is the plain language of the bill itself that is determinative. Where there is ambiguity it is another matter.

Mr. REES of Kansas. Having paid \$700,000 to these individuals does the gentleman think we ought to change it now?

Mr. McCORMACK. I am not arguing with the gentleman on that.

Mr. REES of Kansas. Does the gentleman think we ought to recommend that payment?

Mr. McCORMACK. Oh, no.

Mr. REES of Kansas. As I understand it, the Comptroller General says it is the law, but I am telling the gentleman I do not think it was the intent of Congress to pass such an act.

Mr. McCORMACK. I have no argument with the gentleman on that as far as that is concerned, but the plain language of the law is such that there was no other construction that could be placed upon it.

Mr. REES of Kansas. Now we are trying to stop this abuse.

Mr. McCORMACK. All right, if you want to stop it, that is all right with me.

Mr. REES of Kansas. Does not the gentleman want to stop it?

Mr. McCORMACK. Well, I do not know. The only reason I would vote for this bill is because paragraph (c), page 2, is in there. If you are going to take these men out of annual leave and permit all the other officers, officials, and

employees to remain in, take this group out that works long hours, they ought to have something of a compensatory nature, and paragraph (c) gives it. With paragraph (c) in there certainly I will support the bill if my Republican friends want the bill to go through.

Mr. REES of Kansas. They do.

Mr. McCORMACK. All right. I will vote for it, then. I am not too excited about it, because, to me, the whole thing leading up to the bill was nothing but political demagoguery anyway.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I gladly yield to the gentleman because of my respect for him and because of other reasons that prompt me to have a very fine regard for the gentleman, even when I disagree with him.

Mr. SCOTT. I assure the gentleman I only want to be helpful, for I am quite aware of the fact that the gentleman is very generous in his willingness to have the law amended now that the boys on his side have received their money. I think that is a very fine gesture.

Mr. McCORMACK. You are doing it. The gentleman from Massachusetts is not doing it. That is why I said, if you want to do it, why I have no objection to doing it. That is your funeral, not mine. One thing is certain, however, anyone who received money under this act got it in accordance with the law. The legality of the act is not challenged.

I was very much interested to find that the inquiry of the Subcommittee on Appropriations was confined to those who received more than \$1,000, to those who were in grade GS-15 or higher, and confined to the period between November 1, 1952, and February 15, 1953. There were over 100 names referred to in GS-15 to GS-18 under the Classification Act. They were career employees. There was an awful lot of publicity about a few Democratic members of the Cabinet who received payment. But they did not get one member. There is one they did not find who received \$1,000 or more. He was not on the list. They were very much concerned, at least somebody was, because on page 491, part 2, of the hearings on the independent offices appropriation bill for 1954, an inquiry was made about this particular man. They did not find his name on the list, although he was a Democratic member of the Cabinet. So they asked particularly about this man. The reason his name was on the list is because he got \$914.07. But there was another member of the Cabinet today in the present administration, who received \$852.50 and took it. I do not blame him. He was entitled to it under the law. But my Republican friends were searching for Democrats; they were not looking for Republicans, and that is why they confined it to grades GS-15 and above, and that is why they confined it to a particular period. That is why they said, "Those who received more than a thousand dollars." When they found one man was not on that list, they made specific inquiry about him, and they were very careful to put it into the record of the hearing.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mrs. ST. GEORGE. May I say to the gentleman that he has always been thoughtful and very generous in sponsoring legislation, and I appreciate that fact.

Mr. McCORMACK. Now, wait a minute. I am suspicious. The gentlewoman said I am very generous. Then what?

Mrs. ST. GEORGE. I said the gentleman has been very generous in sponsoring legislation for increased salaries. I feel very sure he is interested in seeing that everybody shall get their full share under the law, and I agree with the gentleman. But, on the other hand, will not the gentleman agree with me, as long as I have gone so far with him that, as a matter of fact, when this law was written it was never contemplated it would be used by Cabinet officials? It somewhat reminds me of a story. Oh, I know it is in the law. My distinguished friend need not remind me of that. It reminds me a little of the story of a lady whose neighbor came running in. The neighbor said: "You have got to take those peashooters away from your children. They are shooting peas up their noses." The mother said, "I am very sorry, I never contemplated they would do that." There are some things that you cannot contemplate, and I am sure the very distinguished minority leader—

Mr. McCORMACK. No, no. Wait a minute now.

Mrs. ST. GEORGE. Is going to go along with us on this matter.

Mr. McCORMACK. Assistant minority leader or whip. I have too much affection for my friend, the gentleman from Texas [Mr. RAYBURN] to encroach on his jurisdiction.

Mrs. ST. GEORGE. I beg your pardon. Of course, I certainly would not want to make that error. But, on the other hand, I always look upon the gentleman with great respect and as a leader, because we serve on the same committee, and may I say we all work very well together on that committee. I am very happy to hear that in the final analysis the gentleman is going to vote for this slight change and excellent amendment to the legislation, which, frankly, will not affect anyone that the gentleman is particularly interested in.

Mr. McCORMACK. I can assure the gentlewoman from New York that if there was any doubt in my mind before as to how I was going to vote on this bill, that by reason of the eloquence and convincing argument that she just made I, at least, will reluctantly go along. I have no opposition to the bill because my Republican friends want it, but I want to call attention to the fact that the law of 1944 plainly included these officials. As to what the intent was, I am inclined to agree with the gentlewoman from New York and the gentleman from Kansas, but I know that where the law is clear and unambiguous it is not the intent of the Congress that governs but it is the plain wording of the law that governs the situation, and

that all of them, so far as I know, Democrats and Republicans, who were entitled to it, received payments and they were entitled to it under the law, and I do not think that they were subject to criticism. So far as I am concerned, I know that prominent Republicans in the employ of the Government during the Democratic administration received their terminal leave pay, and I have not one word of criticism to offer to that as long as the present law is upon the statute books.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, this bill came before the Committee on Rules with the full and complete endorsement of both the chairman of the Committee on Post Office and Civil Service and the ranking member of the same committee, the gentleman from Tennessee [Mr. MURRAY]. I have great confidence in both of those gentlemen. When you deal with the civil-service law, you deal with a very technical subject, and while there can always be a lot of argument about that, so far as I can see, from the debate that has taken place here this morning, there is no real objection to the bill.

Mr. Speaker, I favor the rule and I favor the bill.

Mr. SCOTT. Mr. Speaker, I yield myself 1 minute at this time to set the distinguished gentleman from Massachusetts [Mr. McCORMACK] straight on this matter. He seemed to be a little concerned about it, and I think it ought to be pointed out, as in effect he did point out, that the then administration in 1944 simply included in the benefits of these lump-sum payments some of the top brass who had not been included, and that the present majority, which is the party of the little people, has taken the benefit away from the top brass but has assiduously preserved these benefits for those in the brackets below the amounts referred to by the gentleman from Massachusetts.

Mr. Speaker, I now yield 2 minutes to the gentleman from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. Speaker, at least twice in his remarks the distinguished gentleman from Massachusetts raised the point and seemed to be disturbed because the Subcommittee on Independent Offices of the Appropriations Committee had sought the information about the lump-sum payments drawn by high-ranking officials, and had not filled up the record with the whole body of Federal employees.

In order that there may be no misunderstanding about the reason for that, let me remind the Members of the House that if those in humble status, the workers down in the departments, are away from their duties they must use their annual leave. When they are away from the office it is taken out of their leave. But we all know that high-ranking officials may be away from their offices without having the time charged up against their leave. They may call up their office in the morning when they are

out of town. They may even be campaigning on the Pacific Coast; yet their annual leave continues to accrue. I do not say they did wrong but I do say the people have a right to know about it and it is time Congress stopped it.

That is the reason we were interested in that type of official. There is no objection to filling up the whole record with the statistics about employees in the lower grades but we were more interested in the high brass. We found that Cabinet officers retired and drew \$6,000, \$5,000, or \$4,000 in lump sums. Of course they have great responsibilities, but if they are entitled to more pay they should be paid in the legitimate way; by a bill passed through the Congress, and not by this back-door method.

The only reason the Independent Offices Subcommittee confined their request to the high-ranking officers was that when these are away from their offices it is almost never deducted from their accruing annual leave. The lower grade employees did not enjoy that advantage.

Mr. SCOTT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. REES of Kansas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 4654, with Mr. ELLSWORTH in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. REES of Kansas. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I think this bill has been pretty well discussed and explained under the rule, although there may be just a few misunderstandings with regard to it.

It is admitted that the 1944 act as approved by the House has been construed by the General Accounting Office to include Cabinet officers and other appointees of the President of the United States, so it is admitted, I think, that under that construction of the 1944 act the people who are described in the report of the House Appropriations Committee were legally entitled to terminal leave provided they did not use up their leave while in office. Some of them took time off and some of them did not. They were entitled to take time off the same as other employees. If they did take the time, then, of course, they would be entitled under the law, as the gentleman from Massachusetts has so eminently stated, to a check. What I tried to inquire of my distinguished friend, the gentleman from Massachusetts, was whether he thought when that act was passed, that these members of the Cab-

inet, and these people in the higher echelon would receive \$700,000. There were only 215 of them, and they took \$700,000 when they left their jobs. This act was passed in 1944. You know it was passed during the war period, and it was intended, as explained by the distinguished gentleman from Georgia who brought the thing to the floor, to keep employees in government and on the job. It was regarded as more or less of a so-called war measure. I believe the gentleman from Massachusetts agrees with me that when that act was approved, we did not intend to pay Cabinet officers thousands of dollars of extra money when they left their positions. I do not think he thought that at the time any more than I did. The Comptroller General has construed the law, and we agree that, under the law, these people were entitled, if they kept a record of their time for which they were entitled, to receive payment with respect to this matter of leave. Nearly all employees of the Government, in fact all of them except Presidential appointees have records kept of the amount of leave they take. So there is a sheet for each one of them in his file to indicate whether he took any leave at all, and if so the amount that he took. I think that is the thing that ought to be explained.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. McCORMACK. I cannot take issue with the gentleman's statement. I think that represents a fair state of mind. But, I think my friend will agree with me that no matter what the Congress intended in 1944 with reference to a certain group of officials, the law plainly included them. Will the gentleman agree with that?

Mr. REES of Kansas. But this looks like an abuse; does it not? You know what I mean. For example, I do not believe that you or I, at the time of the approval of the legislation, thought we were approving bonuses for Cabinet members and other high-ranking Presidential appointees, many of whom were millionaires in their own right.

Mr. McCORMACK. But my friend is avoiding my question.

Mr. REES of Kansas. All right, go ahead.

Mr. McCORMACK. I frankly said that I agree, and I think the gentleman's statement represents a fair state of mind. I agree that the gentleman's statement is a fair one as to the probable state of mind in 1944 when the bill was taken up by unanimous consent.

Mr. REES of Kansas. That is right.

Mr. McCORMACK. But the law was plain that they were covered. That is correct, is it not?

Mr. REES of Kansas. Yes.

Mr. McCORMACK. So that the fault lies with the Congress in passing a law which included them; is that correct?

Mr. REES of Kansas. And now we are trying to correct that.

Mr. McCORMACK. That is all right, but the fault lies, if there is any fault at all, with the Congress in 1944.

Mr. REES of Kansas. Yes.

Mr. McCORMACK. And it passed unanimously.

Mr. REES of Kansas. Yes.

Mr. McCORMACK. Then you and I have a meeting of the minds.

Mr. REES of Kansas. That is right. But what I am trying to get across is I do not believe, and in my opinion neither did the gentleman from Massachusetts who at that time was the floor leader of the House, and managed the legislation, believe, lump sum leave payments were thereby authorized for high Government officials.

Mr. McCORMACK. Certainly, and you helped too. You helped it.

Mr. REES of Kansas. Well, of course, you might express it that way.

Mr. McCORMACK. Sure, we all did. We all take our responsibility. I will take mine. "Do you take yours?"

Mr. REES of Kansas. I will take my responsibility.

Mr. McCORMACK. All right, fine—then you and I can shake hands on that.

Mr. REES of Kansas. We can always shake hands.

Mr. McCORMACK. But let us not kid the public. I do not say you are, but let the public understand that the law provided for these payments.

Mr. REES of Kansas. Yes.

Mr. McCORMACK. Yes; and the Congress passed the law.

Mr. REES of Kansas. Yes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Iowa.

Mr. GROSS. I am glad the gentleman from Kansas and the gentleman from Massachusetts [Mr. McCORMACK] are taking all the responsibility, because there are a few of us around here who were not in Congress in 1944.

I wonder if the gentleman is overlooking Oscar Ewing, who left this country last November, ostensibly to go to a health conference in India, and came back here last January 15, taking a tour around the world meanwhile, and then collected some \$4,000 in accumulated leave pay.

Mr. REES of Kansas. Well, Mr. Ewing drew a good-sized check, and so did several of the others. As the gentleman has said, by the terms of the legislation such payments were not prohibited. But even so, in my judgment it was an abuse to do that sort of thing. It just was not the right thing to do. I think the gentleman agrees with me.

Mr. McCORMACK. Certainly.

Mr. REES of Kansas. I was glad we agree on that.

Mr. McCORMACK. That is why I think section (c) is very important.

Mr. REES of Kansas. They ought not to have claimed it.

Mr. McCORMACK. Congress should not have done it.

Mr. REES of Kansas. Well, these men should not have taken the money.

Mr. McCORMACK. Oh, now, do not try to avoid our responsibility. The Congress passed this law in 1944. The gentleman from Iowa is correct, when he says he was not here. I am talking

about the Members who were here. The language is plain. There is no ambiguity. There is only one construction that could be placed on it. The law is plain. You cannot go into the intent of Congress. It is only when there is uncertainty or ambiguity that you can go into the intent of Congress. This language was plain. These men accepted it. And there were Republicans.

Mr. REES of Kansas. A few.

Mr. McCORMACK. A few, and some not named. You did not go back far enough. In that period it was confined to \$1,000.

Mr. REES of Kansas. We will not go into the politics of it.

Mr. McCORMACK. But you did.

Mr. REES of Kansas. If there were any Republicans in there, they were down in the lower bracket.

Mr. JONAS of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. JONAS of North Carolina. Is it not true that the 1944 act, to which reference has been made, did not specifically include the term "Cabinet officers," and that the inclusion of Cabinet officers was by a ruling made by the General Accounting Office, interpreting the language "civilian officers" to include Cabinet officers?

Mr. REES of Kansas. The gentleman is correct. The 1944 act did not specifically name Cabinet officers; it did not include appointees of the President, except by interpretation placed upon it by the Comptroller General.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I gladly yield to the distinguished Member from California, who was a member of our committee at the time the legislation was approved, and I am glad to know that he is for this legislation.

Mr. MILLER of California. Is it not true that the Comptroller General is an officer of the legislative branch of the Government?

Mr. REES of Kansas. Oh, yes.

Mr. MILLER of California. I just wanted my friend from North Carolina to know that.

Mr. REES of Kansas. Oh, yes; and a distinguished officer, too. None better in the Government.

Mr. MILLER of California. I agree with the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from Massachusetts [Mr. McCORMACK] is very much concerned because the Independent Offices Appropriation Committee did not go back of November 1. I am not a member of that committee, but I suspect it would have been even more embarrassing for certain people if they had gone back of November 1.

Mr. REES of Kansas. Mr. Chairman, because of the shortage of time, I would like to continue my statement without interruption. To clear the air as a result of this interrogation, I believe the people of the country will want to know some of the circumstances surrounding

the passage of the 1944 act. As it was presented to our committee, plans were being made for reductions in force throughout the Government at the termination of World War II.

These plans were to pay in a lump sum terminal leave to employees who, during World War II, had remained faithful to their jobs and had not taken their leave. We were carrying over 3 million Federal employees then on the rolls. We planned and actually did reduce the number of employees from 1946 to 1948 from over 3 million to slightly under 2 million. The law of 1944 was planned to meet the situation of the 1 million Federal employees separated from the rolls. The fact that it also included the 300 people we are now excluding from the Leave Act today was merely incidental.

I am willing to accept my responsibility, as I have said, but as the Members know, part of the responsibility belongs to the administrative agencies who recommended this means of settling for accrued leave. The record is completely void of any reference from them to the fact that they were also talking about themselves—that is, the top-ranking officials in the Government.

Let me repeat that the 1944 act was brought to the floor with the justification that the legislation was to take care of workers in the Government who had not had an opportunity to take their leave during World War II.

And one thing further, these people, these high-ranking officials, appointed by the President, as I told you at the beginning, are in a different group from other Government employees and have so been held by the courts.

H. R. 4654, when enacted into law, will prevent lump-sum leave payments to department and agency heads. By exempting from the Annual and Sick Leave Act of 1951 Cabinet officers and other high-ranking Government officials, appointed by the President alone or by the President with the advice and consent of the Senate, we will preclude such officials from earning leave. Also, they will not be able to accrue leave which can be used as a basis for lump-sum leave payments when they terminate their Government service.

It was the view of our committee in approving this legislation that we should not consider Cabinet officers and others affected by the bill in the same category of those who must keep detailed leave statements and, certainly, not in the category of those who should receive large lump-sum payments as a result of leave accrued during their specific terms of office. When such large lump-sum leave payments are made, we have really created a situation whereby we are paying for two officeholders at the same time when only one such office exists. By removing these officials from the Sick and Annual Leave Act of 1951, these officials will not be able to accrue any leave which will be the subject of lump-sum payments after they have left office.

The Assistant Comptroller General testified before our committee that, in his opinion, these officials presently on the rolls are entitled to be paid their accrued annual leave up to the time

legislation exempting them from the leave act is approved. Our committee wanted to make sure that if they were entitled to such leave, it would not be paid upon the passage of this act. Therefore, a restriction was added to the bill providing that the payments of such leave as these officials may be entitled to receive would not be made until they were actually separated from the Federal service.

In operation, the bill will immediately exempt from the general leave system approximately 245 officials who were appointed by the President alone, or by the President with the advice and consent of the Senate, and who are presently receiving salaries in excess of \$14,800 a year. It also will exempt approximately 71 Chiefs of Missions in the Foreign Service appointed and assigned by the President who are paid \$15,000 or more a year.

This bill does not solve the whole problem of lump-sum payments of leave to officials who approve their own leave. I have pointed out previously to the House that there are some postmasters who have walked off with large lump-sum annual-leave payments. For example, the postmaster at New York City was paid more than \$10,000 in lump-sum on the termination of his service recently. He resigned, as the Members will recall, while his office was under investigation.

I have asked the Postmaster General to take aggressive and effective action to reduce the total amount of annual leave presently outstanding to postmasters. It is my understanding that this amounts to an indebtedness to the postal service of between \$30 million and \$50 million. I have learned directly from the Postmaster General that he is exploring this problem and intends to do something about it. It can be seen that in the case of those postmasters who are not replaced when they are on leave, it is more important to insist that they use up their accrued leave than to exclude them from the Sick and Annual Leave Act.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield myself 5 minutes, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY of Tennessee. Mr. Chairman, this bill H. R. 4654 was reported out unanimously by your Committee on Post Office and Civil Service. The committee held hearings for 2 days and had numerous witnesses before the committee before a unanimous decision was reached to report this bill out favorably.

It is good legislation. This bill exempts from the 1951 Leave Act any officer or employee in the executive branch of the Government appointed by the President with the consent of the Senate or by the President alone, and chiefs of mission in the Foreign Service and comprises a total of 316 officers, 245 of those officers who are exempted from the 1951 Leave Act are appointed by the President alone, or by the President by and with the advice and consent of the Senate.

Seventy-one of them are chiefs of mission in the Foreign Service. So this bill provides that these 316 officials shall be taken out of the 1951 Leave Act and are not to be entitled to any leave or any lump-sum payment under the Annual and Sick Leave Act of 1951.

But the bill goes further and provides in section (c) that the President in his discretion shall give such annual leave to these 316 officers as he deems advisable and proper. This section also provides, however, that under no circumstance shall any of these 316 officers be entitled to any lump-sum payment for any accrued leave when they leave the service of the Government.

The purpose of this legislation is to discontinue lump-sum payments for accrued leave to members of the Cabinet and other high-ranking officials of our Government who are appointed by the President alone or by the President with the advice and consent of the Senate, and chiefs of mission of the Foreign Service when they retire or resign.

I am not questioning the legality of the payment of certain lump sum leave payments to certain members of the Cabinet and other high-ranking officials who retired or resigned last January. I think unquestionably they were entitled to it if they had actually accumulated the leave for which they were paid. The act of 1951 specifically includes all civilian officers and employees; and, certainly, members of the Cabinet, assistant members of the Cabinet, and other top-ranking employees who received these payments were civilian officers of our Government and were included in the 1951 leave act. I think as long as they established the amount of leave they had accumulated by not using same before they left the service of the Government then they were entitled to the lump-sum payment under this 1951 leave act. So there is no question about the legality of those lump-sum payments according to the ruling or decision of the Comptroller General.

The only question is whether or not we shall continue to pay these large lump-sum payments to Cabinet members and other top-ranking officials in the future. I do not think we should. Your Post Office and Civil Service Committee which had this legislation under consideration is unanimously of the opinion that we should not. I am sure there is no objection to this bill. I trust it will be passed without a dissenting vote because it is a deserving piece of legislation and is in the interest of efficient, economical administration of the executive branch of our Government.

Mr. REES of Kansas. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. Gross].

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, the necessity for this legislation grows out of moral abuses of the law as it presently exists.

I supported this legislation in the House Post Office and Civil Service Committee and I support it now even though it is my feeling that it does not go as far

as it should in prohibiting cash payments for accumulated leave.

It is, at least, a start in the right direction, and I hope the Members of the House will give approval to the enactment of this measure.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Dowdy].

Mr. DOWDY. Mr. Chairman, I hate to impose on the committee, but being a member of the committee that considered the bill and reported it I feel that it is my duty to state my reasons for supporting the bill.

I am supporting H. R. 4654 from my committee on the basis of economy, that it will cut out a small part of the wasteful spending of the taxpayers money. These people who are taken from coverage by the Annual Leave Act of 1951 by this bill take all the leave they need or want. They are officers who are paid their salaries whether or not they even come to their offices and however they spend their time. One of the most important things this Congress must do, and this bill is a short step in that direction, is to eliminate the wasteful and reckless spending that is being done by this Government. I do not think that needs discussion. I would be the last to begrudge any necessary or useful expenditure or tax, but we see \$22,500 per year set up for salary for a Cabinet officer. That is what we expect to pay out for that purpose. Yet this year the cost of salary for each of the 10 Cabinet officers is going to run up as high as \$29,500 because of the situation that this bill will remedy. I hope it also remedies the condition that causes an office in the State Department to cost \$37,560.12 when it is supposed to cost \$25,000. These two items are taken from a list that shows about three-quarters of a million dollars paid out recently in sums of \$1,000 or more. I do not know what the total of the amounts is that was paid to lesser recipients. We know that our Republic can be more surely destroyed by waste than it can be by war. We must acknowledge that the resources of this country have limits and that wasteful, reckless and excessive spending, and the runaway taxation that it brings on, are just as dangerous to our way of life as any external threat. That renowned Democrat, Thomas Jefferson, said, and I quote:

I place economy among the first and most important virtues and public debt as the greatest of dangers to be feared. To preserve our independence we must not let our rulers load us with perpetual debt. We must make our choice between economy and liberty or profusion and servitude.

That should be our philosophy today but I fear that we have strayed. By passing this bill we can eliminate a small part of the waste.

I feel that our committee is bipartisan, at least to a great extent, and I certainly hope this bill is. It should be. I know that I have sat here on the floor and listened to some of our beloved colleagues of both parties belabor the members of the other party on the apparent hypothesis that because I am a Democrat I will vote opposite to all the Republicans, or that because somebody else is a

Republican that he will vote for a bill because another Republican sponsored it or against a bill because a Democrat introduced it.

The United States of America has come upon sad days if the time has arrived when the Members of this Congress have put the welfare of the political party over the welfare of the Nation. That would be a betrayal of our people. It will be my continual prayer, as long as I am a Member of this great body, that God shall give me the wisdom and the courage to always put our national welfare first and foremost. He will do that and through that same faith we must regain the moral and spiritual strength that made us the greatest nation on earth. I sometimes wonder if our Nation's Capital has come to rely upon money and personal and political power and has forgotten that this Nation was founded upon faith in God.

During the debate concerning the authorization for an Undersecretary of State for administration, which was one of the first matters voted upon at this session, I sat here in amazement and astonishment and heard advanced as the reason for providing such an office was to be able to pay the appointee a larger salary and to give him a new title in order that by virtue of the title and the bigger salary he would have prestige. Prestige, mind you, was what they were looking for. Is prestige of a title the thing that runs our Government? The statement was made that the man must be able to have that prestige of a title when he goes over to talk to Mr. Wilson of the Defense Department, and that is substantially quoting from the debate. I was one of the eighteen who voted against the proposal, and I want it known here and now that nobody has to have a title to come to see me. The girls in my office were informed when they were employed that when any one comes to talk to me I will see them, and that is regardless of prestige. But that man, desiring that prestige that costs the taxpayers \$17,500 per year for his salary plus the salaries for a corps of secretaries and so forth, will be covered by this bill so when he leaves the Government he will not be allowed to pull down another three, four or five thousand dollars for leave. There are over 300 others like him. In my opinion, this bill should pass.

Mr. REES of Kansas. Mr. Chairman, I just want to pay tribute to the members of our committee for their interest in this legislation and for their attendance during the hearings, and the fact that we have a unanimous agreement among the members of the committee in support of this bill.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CRETELLA. Mr. Chairman, one of the most amazing documents of this or any other Congress was the report of the chairman of the Independent Offices Appropriations Subcommittee on cash leave payments made to Cabinet officers and other high officials of the last administration when they stepped out of office. Substantial amounts of the taxpayers money were handed over to these ex-officers on the theory that they had not used annual leave to which they were

entitled. These payments reached lavish proportions in a number of cases.

I, for one, was deeply shocked at the revelation of these payments, and am well aware of the grave concern of the public at the granting of such gratuities. We had instance after instance of Cabinet officers and other high level appointees who received four thousand, five thousand, or six thousand dollars—and one even received \$12,000—as “going away presents” when they were swept out of office by the American people as the result of the last election.

The House Committee on Post Office and Civil Service, of which I am a member, has taken prompt and effective action to correct this sorry situation by reporting H. R. 4654 unanimously. Under this legislation, there will be no recurrence of the recent situation where two-hundred-odd top officials can pick up almost three-fourths of a million dollars for supposedly unused annual leave. It will do this by removing Cabinet officers, their assistants, and certain other high officials from the leave system that covers Federal employees generally. About 316 officers will be removed from the leave system, and once this is done, they will no longer be able to accumulate leave so as to become eligible for lump-sum cash payments if they do not use it.

It should be noted, however, that this legislation will not, and certainly should not, reduce the leave privileges of rank-and-file Government officers and employees. The great majority of career Government employees are conscientious and hard-working public servants, and should not be deprived of benefits justly due them because of abuses which have occurred in the higher echelon, and particularly among political appointees of the previous administration. It is only a certain group of appointive officials whose salaries exceed the highest general schedule rate—presently \$14,800 a year—who will be deprived of the benefits of the Annual and Sick Leave Act of 1951 which covers Federal employees generally. Employees whose salary rates do not exceed this top rate will continue to receive all benefits of that leave act.

I should like to point out the factors which, in my estimation, have combined to permit the lump-sum leave payments to high officials which will be precluded under H. R. 4654. I have no quarrel with the legal conclusion, reached by the Comptroller General of the United States, that these payments could not be questioned by his office. The Assistant Comptroller General testified that the law clearly authorizes the payments. Nevertheless, it is even more clear to me that it is just an accidental quirk of the law, an unintentional loophole in the leave statutes, which forms the basis for the payments.

In 1936 Congress authorized annual leave of 26 days a year for civilian officers and employees of the Government, with the privilege of accumulating up to 60 days of such leave. The 60-day maximum was increased to 90 days during World War II when the national interest precluded normal use of leave.

The 1936 law was repealed and replaced by the Annual and Sick Leave Act of 1951. This 1951 act created a graduated scale of leave allowances for civilian officers and employees of the Government, allowing 13 days for those with less than 3 years' service, 20 days for those having 3 years but less than 15 years of service, and 26 days for those having 15 years or more of service. Neither this act nor the previous one made any distinction between leave allowances to various classes of civilian officers and employees, although there were several specific exceptions.

In 1944 a law was enacted authorizing lump-sum payments for annual leave which remained unused when an officer or employee became separated from the service. This law covered both officers and employees, but the explanation in the House report—House Report 1836, 78th Congress—after stating that the purpose is to authorize lump-sum payments to any officer or employee who is separated, goes on to deal exclusively and at considerable length with the situation with respect to employees which forms the underlying reason for the legislation.

I recognize, of course, that we cannot go behind the plain words of a statute where they are unambiguous, as in this case. At the same time I submit that we most certainly must also give recognition, in considering the desirability of remedial legislation such as H. R. 4654, to the self-evident fact that Congress never intended this 1944 “lump-sum leave act” to have the effect it did with respect to high officials. In other words, I am morally certain that this 1944 bill would not even have reached the floor of the House, much less become law, had the full implications thereof been made clear to the Congress by the operating departments who urged enactment of the law. Congress certainly never intended that this law would be used to dish out and give away huge sums to officials serving at the pleasure of the President or for fixed terms.

H. R. 4654 will correct this weakness in the present law. At the same time it will not reduce the rights of the great majority of loyal, hardworking Federal employees. I heartily endorse this measure in the interests of good Government and of the American taxpayer.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That (a) section 202 (b) (1) of the Annual and Sick Leave Act of 1951 is amended by striking out “and” at the end of subparagraph (H), and by striking out the period at the end of subparagraph (I) and inserting in lieu thereof a semicolon and the following:

“(J) any officer or employee in the executive branch of the Government appointed by the President, by and with the advice and consent of the Senate, or by the President alone, whose rate of basic compensation exceeds the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended.

Subparagraph (J) shall not apply to the personnel of the Foreign Service of the United States.”

(b) Section 202 (b) of the Annual and Sick Leave Act of 1951 is amended by adding at the end thereof the following:

“(4) This title, except section 203 (f), shall not apply to chiefs of mission in the Foreign Service of the United States who receive compensation at one of the rates authorized in section 411 of the Foreign Service Act of 1946 (22 U. S. C., sec. 866).”

(c) The President, in his discretion, may authorize leaves of absence with pay to any officers and employees who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of this act. This subsection shall not affect leaves of absence which may be granted to chiefs of mission in the Foreign Service of the United States under section 203 (f) of such act.

SEC. 2. (a) The accumulated and current accrued annual leave to which any officer or employee exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of this act is entitled immediately prior to the date this act becomes applicable to him shall be liquidated by a lump-sum payment at the rate of compensation which he was receiving immediately prior to such date only upon (1) the separation of such officer or employee from the service, (2) the death of such officer or employee, or (3) the transference of such officer or employee to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951.

(b) In the event any such exempted officer or employee, without any break in the continuity of his service, again becomes subject to the Annual and Sick Leave Act of 1951 upon the completion of his service as an exempted officer or employee, such officer or employee shall be entitled to the annual and sick leave to which he is entitled immediately prior to the date this act becomes applicable to him, in the same manner and to the same extent as though he had been continuously subject to the Annual and Sick Leave Act of 1951.

(c) In the event any such exempted officer or employee is separated from the service to enter upon active service in the Armed Forces of the United States, such officer or employee shall be entitled (1) to receive compensation covering the accumulated and current accrued annual leave to which he is entitled immediately prior to the date this act becomes applicable to him, or (2) to elect to have such leave remain to his credit until his return from active service in the Armed Forces.

SEC. 3. This act shall take effect on the first day of the first pay period which begins after the date of enactment of this act.

With the following committee amendment:

Page 2, line 18, after “act,” insert “Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ELLSWORTH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, pursuant to

House Resolution 223, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Hawks, one of his secretaries.

FIFTIETH ANNIVERSARY OF FIRST AIRPLANE FLIGHT, KITTY HAWK, N. C.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 241) to appoint a committee to attend the celebration of the 50th anniversary of the 1st airplane flight at Kill Devil Hills, Kitty Hawk, N. C.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas on December 17, 1903, Wilbur and Orville Wright made the first successful airplane flight at Kill Devil Hills, Kitty Hawk, N. C.; and

Whereas suitable recognition will be accorded the 50th anniversary of this great historical event; and

Whereas it is both fitting and desirable for the Congress of the United States to be represented on the occasion: Now, therefore, be it

Resolved, etc., That the President of the Senate and the Speaker of the House shall each appoint 5 Members of their respective Houses and may each appoint 2 additional citizens to compose a committee to attend the celebration of the 50th anniversary of the flight at Kill Devil Hills, Kitty Hawk, N. C., on December 17, 1953, and represent the Congress. The necessary expenses of said committee, including actual travel expenses, in an amount not to exceed \$10,000 shall be paid on a pro rata basis out of the contingent funds of the House and Senate based on vouchers approved by the chairman of the committee.

Mr. SCOTT. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. Speaker, I doubt if this joint resolution will consume very much time. I have heard of no controversy on it. The resolution simply provides for the appointment of a committee to attend the celebration of the 50th anniversary of the first airplane flight at Kill Devil Hills, Kitty Hawk, N. C., which occurred

on December 17, 1903, in the flight made by the Wright brothers, Wilbur and Orville.

The resolution cites that it is desirable that recognition be given to the event, and that the President of the Senate and the Speaker of the House each appoint 5 Members of their respective Houses and 2 additional citizens to attend the celebration of the 50th anniversary of this flight on December 17, 1953, and represent the Congress. It provides for the appropriation of the necessary expenses, but this amount has been reduced by the Committee on Rules from the \$10,000 suggested in the bill to \$4,000.

I now yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I have no objection to the amendment, and I do not want to consume any time. This was unanimously agreed to by the Committee on Rules.

Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. BONNER], in whose district this celebration takes place, be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

[Mr. BONNER addressed the House. His remarks will appear hereafter in the Appendix.]

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 8, strike out "\$10,000" and insert "\$4,000."

The committee amendment was agreed to.

Mr. SCOTT. Mr. Speaker, I have no additional requests for time. Therefore, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPORT-IMPORT BANK OF WASHINGTON—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 135)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 5 of 1953, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended.

The purpose of the reorganization plan is to simplify the organization and strengthen the administration of the Export-Import Bank of Washington by providing for a single managing director at the head of the bank. The management of the Bank is now vested in

a board of directors consisting of four full-time members and the Secretary of State, ex officio. The functions performed by the Board are essentially of an executive nature and are comparable to those vested in the heads of other executive agencies. Experience has demonstrated that the most effective performance of executive functions is more likely to be obtained under a single administrator than under a board.

The plan concentrates authority and responsibility for bank operations in the Managing Director. Safeguards are provided in the plan and in existing law, however, to assure that the bank follows, sound lending and financial policies and that its activities are coordinated with those of other Government agencies having international responsibilities. Under the plan, the National Advisory Council on International Monetary and Financial Problems is authorized to establish the general lending and other financial policies which shall govern the operations of the bank. The Council is composed of the Secretary of the Treasury, as Chairman, the Secretary of State, the Secretary of Commerce, the Chairman of the Board of Governors of the Federal Reserve System, and the Director for Mutual Security.

At present, the Board of Directors is not only subject to policy guidance by the National Advisory Council, under the provisions of the Bretton Woods Agreements Act, but is also required to consult with the Advisory Board for the Export-Import Bank, created by the Export-Import Bank Act, on major questions of policy and to receive recommendations from that Board. The composition of the Advisory Board largely parallels that of the Council. The differences are that only the latter includes the Director for Mutual Security as a member and that the Chairman of the Board of Directors of the Export-Import Bank is the chairman of the Advisory Board whereas the Secretary of the Treasury serves as the chairman of the Council. Because of the similarity of the composition of the Advisory Board and Council, and of their functions as respects the bank, the reorganization plan abolishes the Advisory Board. It also abolishes the functions of the Advisory Board—conferred by section 3 (d) of the Export-Import Bank Act of 1945.

The reorganization plan also provides for the abolition of the functions of the Chairman of the Board of Directors of the Export-Import Bank of Washington with respect to his membership on the National Advisory Council on International Monetary and Financial Problems. The function of membership is conferred upon the Chairman by section 4 of the Bretton Woods Agreements Act, as amended. I contemplate that the Managing Director of the Export-Import Bank of Washington will participate as a nonvoting member of the National Advisory Council in relation to matters of concern to the bank. I believe there is merit in reducing the size of the Council and also believe that the interests of the bank can be properly placed before the Council without con-

ferring full Council membership on the managing director of the bank.

Under the reorganization plan the Export-Import Bank of Washington will continue in its status of a corporate entity, and independent agency, in the executive branch of the Government. The President will retain authority to terminate or modify any delegation or assignment of function made by the President to the bank or to any of its agencies or officers.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 5 of 1953 is necessary to accomplish one or more of the purposes set forth in section 2 (a) of the Reorganization Act of 1949, as amended. I also have found and hereby declare that by reason of these reorganizations it is necessary to include in the reorganization plan provision for the appointment and compensation of the new officers specified in sections 1, 2, and 3 of the reorganization plan. The rates of compensation fixed for these officers are, respectively, those which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The taking effect of Reorganization Plan No. 5 of 1953 will accomplish a small immediate reduction of expenditures, since it will substitute one managing director, together with a deputy and assistant, for a board which includes four full-time members. Other reductions in expenditures will probably be brought about also, through increased economy and efficiency in the performance of necessary services of the bank resulting from the simplification of its organization, but such reductions cannot be itemized in advance of actual experience.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, April 30, 1953.

REORGANIZATION PLAN No. 5 of 1953

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 30, 1953, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended)

THE EXPORT-IMPORT BANK OF WASHINGTON

SECTION 1. The Managing Director: There is hereby established the office of Managing Director of the Export-Import Bank of Washington, hereinafter referred to as the Managing Director. The Managing Director shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$17,500 per annum.

SEC. 2. Deputy Director: There is hereby established the office of Deputy Director of the Export-Import Bank of Washington. The Deputy Director shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate of \$16,000 per annum, shall perform such functions as the Managing Director may from time to time prescribe, and shall act as Managing Director during the absence or disability of the Managing Director or in the event of a vacancy in the office of Managing Director.

SEC. 3. Assistant Director: There is hereby established the office of Assistant Director of the Export-Import Bank of Washington. The Assistant Director shall be appointed by the Managing Director under the classified civil service, shall receive compensation at

the rate now or hereafter fixed by law for grade GS-18 of the general schedule established by the Classification Act of 1949, as amended, and shall perform such functions as the Managing Director may from time to time prescribe.

SEC. 4. Functions transferred to the Managing Director: All functions of the Board of Directors of the Export-Import Bank of Washington are hereby transferred to the Managing Director.

SEC. 5. General policies: The National Advisory Council on International Monetary and Financial Problems shall from time to time establish general lending and other financial policies which shall govern the Managing Director in the conduct of the lending and other financial operations of the bank.

SEC. 6. Performance of transferred functions: The Managing Director may from time to time make such provisions as he deems appropriate authorizing the performance of any of the functions of the Managing Director by any other officer, or by any agency or employee, of the bank.

SEC. 7. Abolitions: The following are hereby abolished: (1) The Board of Directors of the Export-Import Bank of Washington, including the offices of the members thereof provided for in section 3 (a) of the Export-Import Bank Act of 1945, as amended; (2) the Advisory Board of the bank, together with the functions of the said Advisory Board; and (3) the function of the Chairman of the Board of Directors of the Export-Import Bank of Washington of being a member of the National Advisory Council on International Monetary and Financial Problems. The Managing Director shall make such provisions as may be necessary for winding up any outstanding affairs of the said abolished boards and offices not otherwise provided for in this reorganization plan.

SEC. 8. Effective date: Sections 3 to 7, inclusive, of this reorganization plan shall become effective when the Managing Director first appointed hereunder enters upon office pursuant to the provisions of this reorganization plan.

DEPARTMENT OF DEFENSE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 136)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I address the Congress on a subject which has been of primary interest to me throughout all the years of my adult life—the defense of our country.

As a former soldier who has experienced modern war at first hand, and now, as President and Commander in Chief of the Armed Forces of the United States, I believe that our Defense Establishment is in need of immediate improvement. In this message, I indicate actions which we are taking, and must yet take, to assure the greater safety of America.

Through the years, our Nation has warded off all enemies. We have defended ourselves successfully against those who have waged war against us. We enjoy, as a people, a proud tradition of triumph in battle.

We are not, however, a warlike people. Our historic goal is peace. It shall ever be peace—peace to enjoy the freedom we cherish and the fruits of our labors. We maintain strong military forces in support of this supreme purpose, for we believe that in today's world only properly organized strength may altogether avert war.

Because we are not a military-minded people, we have sometimes failed to give proper thought to the problems of the organization and adequacy of our Armed Forces. Past periods of international stress and the actual outbreaks of wars have found us poorly prepared. On such occasions, we have had to commit to battle insufficient and improperly organized military forces to hold the foe until our citizenry could be more fully mobilized and our resources marshaled. We know that we cannot permit a repetition of those conditions.

Today we live in a perilous period of international affairs. Soviet Russia and her allies have it within their power to join with us in the establishment of a true peace or to plunge the world into global war. To date, they have chosen to conduct themselves in such a way that these are years neither of total war nor total peace.

We in the United States have, therefore, recently embarked upon the definition of a new, positive foreign policy. One of our basic sins is to gain again for the free world the initiative in shaping the international conditions under which freedom can thrive. Essential to this endeavor is the assurance of an alert, efficient, ever-prepared Defense Establishment.

Today our international undertakings are shared by the free peoples of other nations. We find ourselves in an unparalleled role of leadership of freemen everywhere. With this leadership have come new responsibilities. With the basic purpose of assuring our own security and economic viability, we are helping our friends to protect their lives and liberties. And one major help that we may give them is reliance upon our own Military Establishment.

Today also witnesses one of history's times of swiftest advance in scientific achievements. These developments can accomplish wonders in providing a healthier and happier life for us all. But, converted to military uses, they threaten new, more devastating terrors in war. These simple, inescapable facts make imperative the maintenance of a defense organization commanding the most modern technological instruments in our arsenal of weapons.

In providing the kind of military security that our country needs, we must keep our people free and our economy solvent. We must not endanger the very things we seek to defend. We must not create a nation mighty in arms that is lacking in liberty and bankrupt in resources. Our armed strength must continue to rise from the vigor of a free people and a prosperous economy.

Recognizing all these national and international demands upon our Military Establishment, we must remain ever

83^d CONGRESS
1ST SESSION

H. R. 4654

IN THE SENATE OF THE UNITED STATES

MAY 1 (legislative day, APRIL 6), 1953

Read twice and referred to the Committee on Post Office and Civil Service

AN ACT

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 202 (b) (1) of the Annual and Sick
4 Leave Act of 1951 is amended by striking out "and" at
5 the end of subparagraph (H), and by striking out the
6 period at the end of subparagraph (I) and inserting in lieu
7 thereof a semicolon and the following:

8 “(J) any officer or employee in the executive
9 branch of the Government appointed by the President,
10 by and with the advice and consent of the Senate, or by

1 the President alone, whose rate of basic compensation
2 exceeds the maximum rate provided in the General
3 Schedule of the Classification Act of 1949, as amended.
4 Subparagraph (J) shall not apply to the personnel of the
5 Foreign Service of the United States.”

6 (b) Section 202 (b) of the Annual and Sick Leave
7 Act of 1951 is amended by adding at the end thereof the
8 following:

9 “(4) This title, except section 203 (f), shall not apply
10 to chiefs of mission in the Foreign Service of the United
11 States who receive compensation at one of the rates author-
12 ized in section 411 of the Foreign Service Act of 1946
13 (22 U. S. C., sec. 866).”

14 (c) The President, in his discretion, may authorize
15 leaves of absence with pay to any officers and employees
16 who are exempted in whole or in part from the Annual and
17 Sick Leave Act of 1951 as a result of the enactment of this
18 Act. Leaves of absence authorized under this subsection
19 shall not constitute a leave system, and no such leave of
20 absence which is not used shall be made the basis for any
21 lump-sum payment. This subsection shall not affect leaves
22 of absence which may be granted to chiefs of mission in the
23 Foreign Service of the United States under section 203 (f)
24 of such Act.

25 SEC. 2. (a) The accumulated and current accrued an-

1 nual leave to which any officer or employee exempted in
2 whole or in part from the Annual and Sick Leave Act of
3 1951 as a result of the enactment of this Act is entitled im-
4 mediately prior to the date this Act becomes applicable to
5 him shall be liquidated by a lump-sum payment at the rate
6 of compensation which he was receiving immediately prior to
7 such date only upon (1) the separation of such officer or em-
8 ployee from the service, (2) the death of such officer or
9 employee, or (3) the transfer of such officer or employee to a
10 position under a leave system other than the leave system
11 provided by the Annual and Sick Leave Act of 1951.

12 (b) In the event any such exempted officer or em-
13 ployee, without any break in the continuity of his service,
14 again becomes subject to the Annual and Sick Leave Act
15 of 1951 upon the completion of his service as an exempted
16 officer or employee, such officer or employee shall be en-
17 titled to the annual and sick leave to which he is entitled
18 immediately prior to the date this Act becomes applicable
19 to him, in the same manner and to the same extent as though
20 he had been continuously subject to the Annual and Sick
21 Leave Act of 1951.

22 (c) In the event any such exempted officer or employee
23 is separated from the service to enter upon active service
24 in the Armed Forces of the United States, such officer or
25 employee shall be entitled (1) to receive compensation

1 covering the accumulated and current accrued annual leave
2 to which he is entitled immediately prior to the date this Act
3 becomes applicable to him, or (2) to elect to have such leave
4 remain to his credit until his return from active service in
5 the Armed Forces.

6 SEC. 3. This Act shall take effect on the first day of
7 the first pay period which begins after the date of enactment
8 of this Act.

Passed the House of Representatives April 30. 1953.

Attest:

LYLE O. SNADER,

Clerk.

AN ACT

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

MAY 1 (legislative day, APRIL 6), 1953

Read twice and referred to the Committee on Post
Office and Civil Service

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued May 20, 1953

For actions of May 19, 1953

83rd-1st, No. 91

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House debated agricultural appropriation bill. General debate was concluded, and bill is to be read for amendment today. Senate passed economic controls bill. Senate passed measure for Foreign Economic Policy Commission. Senate committees reported bills excluding major officials from leave law and creating Joint Budget Committee.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1954. Began debate on this bill, H. R. 5227 (pp. 5317-49). General debate was concluded, and the bill is to be read for amendment today.
2. PUBLIC LANDS. Passed as reported H. R. 2512, to amend the Small Tract Act of 1938 (authorizing lease or sale of 5 acres or less of public lands for certain purposes) so as to extend its application and facilitate its administration (p. 5297).
Passed as reported H. R. 1815, to extend the scope of the Recreation Act, which authorizes Interior to sell or lease public lands to States and subdivisions for recreational uses (pp. 5298-9).
3. FOREIGN AID. Passed without amendment H. R. 2312, to repeal Public Law 820, 80th Congress, providing a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold (p. 5297).
4. FOREIGN TRADE. Rep. Rogers, Mass., spoke in favor of protection of domestic industry through adequate tariffs (pp. 5353-4).
5. COMMITTEE ASSIGNMENT. Rep. Tuck, Va., was elected to the Post Office and Civil Service Committee (p. 5294).
6. ELECTRIFICATION. Rep. Pfoest claimed most Republicans are against "low-cost public power" (pp. 5305-6).
7. EDUCATION APPROPRIATIONS. Rep. Brown, Ga., spoke against cuts in vocational-education items in the Labor-HEW appropriation bill (pp. 5351-3).
8. LABOR-HEW APPROPRIATION BILL, 1954. In reporting this bill, H. R. 5246 (see

Bigst CC), the Appropriations Committee included the following statements in its report:

Mexican Farm Labor Program. "The committee has serious misgivings about this program, which guarantees to foreign agricultural workers coming into this country many things such as medical care for sickness or injury incurred on the job, minimum wages, adequate living quarters, etc., which are not guaranteed to our own citizens. It provides a labor recruitment program for farmers in one part of our country, while farmers on our East Coast pay for their own recruitment of laborers from outside the Continental United States. However, in view of the recent approval of an extension of the basic legislation by a large majority of the House of Representatives, the committee is recommending a continuation of appropriations. The bill includes \$1,150,000 for the first six months' operation of the program, plus \$100,000 for program liquidation if the agreement with Mexico, which expires December 31, 1953, is not extended. This is a reduction of \$490,000 from the request."

Education. "Promotion and further development of vocational education.-- The bill includes \$16,048,870, a reduction of \$2,624,391 from the request and from the appropriation for 1953... The committee is in agreement with the Bureau of the Budget and the Secretary in their belief that this program has matured to the point where its 'promotion and further development' should gradually be turned over to the States."

"Further endowment of colleges of agriculture and mechanic arts.-- The bill includes no amounts for this item. This is a reduction of \$2,501,500 from the estimate and \$2,480,000 from the 1953 appropriation."

Up-Grading. "The committee is very much concerned with the general tendency in both the Department of Labor and the Department of Health, Education, and Welfare continually to up-grade jobs and to apply reductions in personnel primarily in the lower grades... If this trend continues, the committee will give serious consideration to placing a limitation in the bill next year to force correction."

Automobiles. "The committee has disallowed all requests for authority to purchase automobiles, either as additions to the fleet or as replacements."

Publications. "The committee strongly urges the new Secretary (of HEW) to maintain a closer control over the publications of the Department than has been maintained in the past."

SENATE

9. ECONOMIC CONTROLS. Passed with amendments S. 1081, providing for temporary economic controls, after substituting therefor a modified committee amendment in the nature of a substitute, as amended. Adopted, 45-41, a Byrd amendment restricting the President's authority to impose standby wage-price controls unless Congress has declared war or has found that a grave national emergency exists; and a Young amendment establishing a formula for ceiling prices on farm products at not less than the parity. Rejected, 26-61, a Bricker amendment to eliminate the provisions for standby price-wage controls. (pp. 5260-85).
10. INFORMATION. The Post Office and Civil Service Committee reported without amendment S. 971, to authorize films and related material for educational use to be transmitted through the mails at the rate provided for books (S. Rept. 293) (p. 5259).
11. PERSONNEL. The Post Office and Civil Service Committee reported with amendment H.R. 4654, to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch (S. Rept. 294) (p. 5259).

EXEMPTION FROM THE ANNUAL AND SICK LEAVE ACT
OF 1951 OF CERTAIN OFFICERS IN THE EXECUTIVE
BRANCH OF THE GOVERNMENT

MAY 19 (legislative day, MAY 15), 1953.—Ordered to be printed

Mr. CARLSON of Kansas, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H. R. 4654]

The Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 4654), to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, report favorably thereon with an amendment, and recommend that the bill, as amended, do pass.

AMENDMENT

The committee amendment strikes out all after the enacting clause of the bill, as introduced, and inserts in lieu thereof a substitute, which appears in the reported bill in italic type.

GENERAL STATEMENT

This legislation accomplishes three principal objectives and, in addition, opens the way for improved administrative practices in the scheduling of vacations for Federal employees.

First, it removes certain high officials in the executive branch of the Government from the leave system which covers Federal employees generally. This action is based on the premise that such officials never completely divest themselves of their responsibilities even during periods of vacation or illness. In effect such officials are actually on duty at all times, thus, it is absurd to maintain attendance and leave records and allow them lump-sum payments for any unused vacation time remaining to their credit when they terminate their position.

Second, it settles the basic question of which officers shall be entitled in the future to the compensation attached to their office

by virtue of their status as an officer. Conversely, it settles, also, which officers no longer shall be entitled to the compensation attached to their office solely by virtue of their status as an officer. This brings to an end the present unwarranted double advantage of these officers to statutory leave benefits and freedom to absent themselves from duty as they see fit. In the future officers in the first category will retain their freedom so far as hours of work are concerned but they will lose any statutory rights to leave and lump-sum payments. Officers in the second category will retain their statutory rights to leave but will lose their freedom with respect to hours of work. In other words such officers along with all employees will be required to work under the regular statutes and regulations governing hours of work and leaves of absence.

Third, it repeals section 401 of Public Law 455, 82d Congress, thereby reinstating the accumulation provisions of the Annual and Sick Leave Act of 1951. These provisions permit a maximum accumulation of not to exceed 60 days annual leave by employees in the United States and 90 days by overseas employees with minor exceptions.

The committee firmly believes that as a general rule agencies should restrict the accumulation of annual leave by seeing to it that employees take regularly scheduled vacations. However, a reasonable amount of flexibility in the use and accumulation of annual leave is desirable for a number of reasons:

(1) The committee is convinced, on the basis of testimony by the Civil Service Commission, Bureau of the Budget, General Accounting Office and others, that the restriction on accumulations of annual leave is costly and unduly burdensome to administer. It is costly because (a) under certain circumstances when employees are forced to take time off or lose benefits to which they are entitled their work is done by others on an overtime basis at overtime rates of pay, (b) it is necessary for agencies to maintain dual records on each employee which increases overhead, (c) its effect is reflected in higher turnover and lower employee morale.

(2) During emergencies or rush periods it may be advantageous to the Government to restrict the use of leave on a partial or total basis within an agency or even throughout the Federal service as a whole. Under these conditions, if leave cannot be accumulated, administrative officials must either force employees to lose earned leave or grant leave which results in loss of production and may require work by other employees at overtime rates of pay.

(3) Employees earn only 13 days annual leave during each of the first 3 years of their employment. During the 4th through the 15th years, they earn 20 days per year, and thereafter 26 days per year. Not all of this time is available for vacation purposes for the reason that every absence from duty for any reason is charged to the employee's leave account. As a result many employees, particularly the newer ones, find it difficult and financially prohibitive to return to their homes for their vacations on the amount of annual leave earned and remaining to their credit during any given year.

(4) Federal employees, unlike most employees in private employment, are not covered by the Federal unemployment insurance program. The only financial protection against unemployment Federal employees have is the accumulated annual leave standing to their credit.

In summary, restoration of the privilege of accumulating annual leave in a reasonable amount would (a) enable agencies to follow more efficient and economical practices (b) give employees an opportunity to schedule vacations in a more reasonable manner and (c) enable employees to provide themselves with a small amount of protection against undue hardship as a result of sudden unemployment through no fault of their own.

In addition to the principal changes discussed in detail, the amendment also contains several minor perfecting changes to the Annual and Sick Leave Act of 1951.

EXPLANATION OF PROVISIONS

SECTION 1. This section would remove from the Annual and Sick Leave Act of 1951:

(a) Presidential appointees in the executive branch of the Government whose rates of basic compensation exceed the maximum of grade GS-18 (at present \$14,800).

(b) chiefs of missions in the Foreign Service and others who receive compensation at one of the rates authorized in sections 411 of the Foreign Service Act of 1946 (\$15,000 to \$25,000 a year).

(c) such other officers as may be designated by the President. However, it is specifically provided that the President may not remove postmasters, United States attorneys, or United States marshals.

This section provides further that officers not so exempted from the 1951 Leave Act shall no longer be deemed to be entitled to compensation solely by virtue of their status as an officer. This means that such officers would in the future receive compensation for performing their duties in accordance with the laws governing hours of work, and would be authorized to take leave of absence only as provided by the Annual and Sick Leave Act of 1951. Officers removed from 1951 Leave Act coverage would be regarded as being entitled to the compensation of their offices by virtue of their officer status. Thus, these officers would be able to absent themselves from duty as necessary, and a formal leave system for them would not be required.

Finally this section enables the President to authorize leaves of absence to Foreign Service officers under the Department of State (including chiefs of missions) and other persons paid in accordance with section 411 of the Foreign Service Act of 1945 specifically for use in the United States, and its Territories and possessions. Under this provision, related travel costs could continue to be paid as authorized in the Foreign Service Act of 1946.

SEC. 2. This section suspends the entitlement of those officers who are exempted from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill, to liquidation by lump-sum payment, during the period of their exemption from such act, of the accumulated and current accrued annual leave to which they are entitled immediately prior to their exemption from such act.

Provision is made for the liquidation by lump-sum payment of such accumulated and current accrued annual leave only in the case of those exempted officers who, after the expiration of the period in which they are within the class of officers so exempted, do not again

become subject to the Annual and Sick Leave Act of 1951 without any break in the continuity of their service and who are not separated from such exempted service in order to enter upon active service in the Armed Forces or the merchant marine of the United States.

The accumulated and current accrued annual leave to which any such officer is so entitled is to be liquidated, by lump-sum payment at the rate of compensation which he was receiving immediately prior to his exemption from the Annual and Sick Leave Act of 1951, if, while he is within the class of such exempted officers, he is separated from the service, dies, or is transferred out of the exempted service to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951.

SEC. 3. Under the present act, regular accumulation limits of from 60 to 90 days take effect at the end of the last pay period in the calendar year. This means that employees who have reached the regular accumulation limit must use or forfeit all leave earned in the year by, for example, December 21 or 22. Thus, they must lose leave which, within a few days, could be used over the Christmas and New Year's holidays. This section allows accumulation limits to take effect at the beginning of the first pay period of the calendar year, thus permitting the use of unused accrued leave over the Christmas and New Year's holidays, while maintaining the advantages of pay-period accounting.

SEC. 4. This section provides that the foregoing provisions shall take effect on the first day of the first pay period following enactment.

SEC. 5. This section repeals section 401 of the Independent Offices Appropriation Act, 1953, thereby reinstating the accumulation provisions of the Annual and Sick Leave Act of 1951.

AGENCY REPORTS

Attached are letters from the Civil Service Commission and the Bureau of the Budget commenting on S. 1297 and advocating in lieu thereof legislation similar to the Senate Committee's amendment to H. R. 4654. Representatives of both agencies, appearing before the committee in executive session strongly advocated repeal of section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, 82d Cong.), referred to as the Thomas amendment.

HON. FRANK CARLSON,

*Chairman, Committee on Post Office and Civil Service,
United States Senate*

DEAR SENATOR CARLSON: This refers to your letter of March 16 requesting the Commission's views on S. 1297, a bill to make the act of December 21, 1944, authorizing lump-sum annual leave payments inapplicable to certain officers and employees.

The act of December 21, 1944, which this bill would amend, provides for lump-sum payment of all unused accumulated and accrued annual leave which an officer or employee has to his credit upon separation, death, or transfer to a different leave system. The bill would provide that the Lump-Sum Payment Act shall not apply to any officer or employee whose rate of basic compensation exceeds the maximum rate provided for grade GS-15 in the General Schedule of the Classification Act of 1949, as amended.

The Commission believes that annual leave accumulation and lump-sum payments should not be possible in the case of Presidential appointees and other officers who are entitled to the salaries of their offices, and are not restricted to any specific amount of absence with pay, so long as they hold office. Accordingly,

we think that these officers should be excluded from the basic Annual and Sick Leave Act of 1951, rather than merely from the Lump-Sum Leave Payment Act.

The heads of agencies and other appointive officials cannot completely divest themselves of their responsibilities during periods of vacation or illness. Most of the appointive officials included in S. 1297 are entitled to their salaries so long as they hold office, without regard to hours of work. It is logical to hold that such officials are on duty at all times during their tenure. Therefore, it is pointless to record the hours and days of their absence from office, to permit them to earn paid leave, or to give them cash payments for unused vacations when their appointments are terminated. This view was expressed by the President in a recent press conference.

The Commission recommends that any amendment designed to exclude top-ranking Government officials from the 1951 Leave Act should be based on the principle that officers entitled to the compensation of their offices solely by virtue of their officer status should not be under the act. In general, positions in grades GS-16, 17, and 18 are a part of the career service. Persons occupying these so-called supergrade positions observe standard working hours and are authorized to take leave of absence only as provided by the 1951 Leave Act. Thus, these employees work under very different conditions and should be treated differently from Presidential and other appointive officials.

We believe that, in the interests of efficient personnel practice, career employees in supergrade positions should not be deprived of any of the benefits which are possessed by those in grade GS-15 and below. The supergrades were created as an inducement to highly qualified individuals to enter or remain in the Government service. If a GS-15 employee lost the right to payment for his unused earned leave by accepting a promotion to GS-16, the promotion would to that extent be a deterrent rather than an inducement.

It should be observed that excluding supergrade employees from the provisions of the Lump-Sum Leave Payment Act would not prevent their being allowed to use their accumulated annual leave as terminal leave before actual separation from the rolls. Before the Lump-Sum Act it was the practice to allow employees to go on leave a sufficient time before the date of retirement or resignation to use up their annual leave. The lump-sum payment provision was in part designed to eliminate the delays in filling key positions, costly earning of "leave on leave," and the granting of unwarranted additional service credit for retirement and salary step increases during lengthy terminal-leave periods which resulted from this practice.

In view of the problems discussed above, we believe that the preferable approach is that represented by H. R. 4654, which would exclude from the basic 1951 Leave Act all Presidential appointees in the executive branch who receive more than \$14,800 a year, and chiefs of mission in the Foreign Service who receive \$15,000 or more a year. H. R. 4654, however, raises problems regarding other groups of officers in the executive branch which should be clarified.

Under the circumstances, I am attaching a draft of a proposed bill and an explanation of the draft which you may wish to consider. The proposed draft language would place in effect the policy expressed by the President and would prevent lump-sum leave payments to all top-ranking officers in the executive branch.

For the reasons given in this report, the Commission must inform you that S. 1297 is not in accord with the program of the President.

By direction of the Commission:

Sincerely yours,

PHILIP YOUNG, *Chairman.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., May 7, 1953.

HON. FRANK CARLSON,
*Chairman, Committee on Post Office and Civil Service,
Senate Office Building, Washington 25, D. C.*

MY DEAR MR. CHAIRMAN: This will acknowledge your letter of March 16, 1953, inviting the Bureau of the Budget to comment on S. 1297, a bill to make the act of December 21, 1944, authorizing lump-sum annual leave payments inapplicable to certain officers and employees.

The Bureau of the Budget recognizes the need for legislation to accomplish the apparent objective of this bill. However, it is doubtful that S. 1297 would

effectively accomplish its purpose. The officers and employees to whom it applies could remain on the rolls until their accumulated and accrued leave is exhausted before resigning. In this manner, they would obtain payment in full for leave just as surely as though it were liquidated in a lump sum. Furthermore, the Bureau of the Budget believes that all career employees should be subject to the same leave system which would not be the case under S. 1297 because a salary rate lower than the maximum provided in the General Schedule of the Classification Act of 1949, as amended, is used as a cutoff point.

The Bureau's consideration of this matter has led to the conclusion that the basic question to be settled by statute is which officers shall be deemed to be entitled in the future to the compensation attached to their office by virtue of their status as an officer and, conversely, which officers shall no longer be deemed to be entitled to the compensation attached to their office solely by virtue of their status as an officer.

The first group should consist of specifically designated officers only who would continue, as at present, to be on call at all times and work whatever hours are necessary to meet their official responsibilities. Such officers should not be subject to a formal leave system and the statutes governing hours of work or entitled to lump-sum annual leave payments. This group might well include: (a) persons appointed by the President, by and with the advice and consent of the Senate, or by the President alone, whose rate of basic compensation exceeds the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended, (b) persons appointed as chiefs of mission in the Foreign Service; and (c) such other officers as may be designated by the President.

The second group should consist of officers not included in the first group and all employees. The officers and employees in this group should be required to work under the regular statutes and regulations governing hours of work and leaves of absence.

It appears that statutory action relating to each group would be required to accomplish the objective desired. With respect to the first group, appropriate language would be needed to provide a clear identification of the officers who are to be placed in this group, eliminating to the fullest extent possible any need for interpretation of coverage; to reestablish their entitlement to the compensation attached to their office by virtue of their status as an officer; and, to exempt such officers from coverage under the Leave Act. With respect to the second group, it would be necessary to establish clearly that all officers and employees in this group shall not receive compensation except for performing duties in accordance with the standard pay laws governing hours of work and that leaves of absence are in accordance with applicable statutes.

The Bureau of the Budget would favor enactment of legislation to accomplish these objectives.

Sincerely yours,

JOS. M. DODGE, *Director.*

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 202 OF THE ANNUAL AND SICK LEAVE ACT OF 1951 (TITLE II OF PUBLIC LAW 233, 82D CONGRESS)

COVERAGE AND EXEMPTIONS

SEC. 202. (a) Except as provided in subsection (b), this title shall apply to all civilian officers and employees of the United States and of the government of the District of Columbia, including officers and employees of corporations wholly owned or controlled by the United States.

(b) (1) This title shall not apply to—

(A) teachers and librarians of the public schools of the District of Columbia;

(B) part-time officers and employees (except hourly employees in the field service of the Post Office Department) for whom there has not been established a regular tour of duty during each administrative workweek;

(C) temporary employees engaged on construction work at hourly rates;

(D) employees of the Canal Zone Government and the Panama Canal Company when employed on the Isthmus of Panama;

(E) commissioned officers of the Public Health Service;

(F) commissioned officers of the Coast and Geodetic Survey;

(G) doctors, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration;

(H) officers and employees of the Senate and House of Representatives; and

(I) officers and employees of any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests.

(2) This title, except section 203 (g), shall not apply to alien employees who occupy positions outside the several States and the District of Columbia.

(3) Section 204 of this title shall not apply to officers and members of the Metropolitan Police and the Fire Department of the District of Columbia.

(c) (1) *This title shall not apply to the following officers in the executive branch of the Government: (a) persons appointed by the President by and with the advice and consent of the Senate, or by the President alone, whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended, (b) persons who receive compensation at one of the rates authorized in section 411 of the Foreign Service Act of 1946, and (c) such other officers (except postmasters, United States attorneys and United States marshals) as may be designated by the President. No officer in the executive branch to whom this title applies, shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer.*

(2) *The President, in his discretion, may authorize leaves of absence to persons who are exempted from this title pursuant to subsection (c) (1) (b) for use in the United States and its Territories and possessions.*

SECTION 203 (c) OF THE ANNUAL AND SICK LEAVE ACT OF 1951

(c) The annual leave provided for in this section, which is not used by an officer or employee, shall accumulate for use in succeeding years until it totals not to exceed sixty days at the [end of the last complete biweekly pay period] *beginning of the first complete biweekly pay period*, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, occurring in any year.

SECTION 203 (d) OF THE ANNUAL AND SICK LEAVE ACT OF 1951

(d) Notwithstanding the provisions of subsection (c), a maximum accumulation not to exceed ninety days at the [end of the last complete biweekly pay period] *beginning of the first complete biweekly pay period*, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in any year is authorized to the following categories of employees of the Federal Government, other than officers and employees in the Foreign Service of the United States under the Department of State, stationed outside the several States and the District of Columbia:

(1) Persons directly recruited or transferred from the United States by the Federal Government.

(2) Persons employed locally but (A) who were originally recruited from the United States and have been in substantially continuous employment by other Federal agencies, United States firms, interests, or organizations, international organizations in which the United States Government participates, or foreign governments, and whose conditions of employment provide for their return transportation to the United States, or (B) who were at the time of employment temporarily absent from the United States for purposes of travel or formal study and maintained residence in the United States during such temporary absence.

(3) Persons who are not normally residents of the area concerned and who are discharged from the military service of the United States to accept employment with an agency of the Federal Government.

SECTION 208 (A) OF THE ANNUAL AND SICK LEAVE ACT OF 1951

SEC. 208. (a) In any case in which—

(1) the amount of accumulated annual leave carried over into the calendar year 1952 by an officer or employee under provisions of law applicable to such officer or employee on December 31, 1951, is in excess of the amount allowable under the applicable provisions of section 203, or

(2) the amount of accumulated annual leave to the credit of an officer or employee who is subject to the provisions of section 203 (d) and who becomes subject to the provisions of section 203 (c) is in excess of the amount allowable under 203 (c),

such excess shall remain to the credit of such officer or employee until used, but the use during any year of an amount of leave in excess of the aggregate amount which shall have accrued during such year shall automatically reduce the maximum allowable accumulation at the [end of the last complete biweekly pay period] *beginning of the first complete biweekly pay period* in any year until the accumulation of such officer or employee no longer exceeds the amount prescribed in the applicable provisions of section 203.

SECTION 401 OF THE INDEPENDENT OFFICES APPROPRIATION ACT, 1951 (PUBLIC LAW 455, EIGHTY-SECOND CONGRESS)

[SEC. 401. Hereafter no part of the funds of, or available for expenditure by any corporation or agency included in this or any other Act, including the government of the District of Columbia, shall be available to pay for annual leave accumulated by any civilian officer or employee during any calendar year and unused at the close of business on June 30th of the succeeding calendar year: *Provided*, That the head of any such corporation or agency shall afford an opportunity for officers or employees to use the annual leave accumulated under this section prior to June 30th of such succeeding calendar year: *Provided further*, That this section shall not apply to officers and employees whose post of duty is outside the continental United States: *Provided further*, That this section shall not apply with respect to the payment of compensation for accumulated annual leave in the case of officers or employees who leave their civilian positions for the purpose of entering upon active military or naval service in the Armed Forces of the United States: *Provided further*, That this section shall not be applicable to annual leave accumulated prior to January 1, 1952.]

Calendar No. 296

83^d CONGRESS
1ST SESSION

H. R. 4654

[Report No. 294]

IN THE SENATE OF THE UNITED STATES

MAY 1 (legislative day, APRIL 6), 1953

Read twice and referred to the Committee on Post Office and Civil Service

MAY 19 (legislative day, MAY 15), 1953

Reported by MR. CARLSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That ~~(a)~~ section 202 ~~(b)~~ ~~(1)~~ of the Annual and Sick
4 Leave Act of 1951 is amended by striking out "and" at
5 the end of subparagraph ~~(H)~~, and by striking out the
6 period at the end of subparagraph ~~(I)~~ and inserting in lieu
7 thereof a semicolon and the following:

8 ~~"(J)~~ any officer or employee in the executive
9 branch of the Government appointed by the President,
10 by and with the advice and consent of the Senate, or by

1 the President alone, whose rate of basic compensation
2 exceeds the maximum rate provided in the General
3 Schedule of the Classification Act of 1949, as amended.
4 Subparagraph (J) shall not apply to the personnel of the
5 Foreign Service of the United States."

6 (b) Section 202 (b) of the Annual and Sick Leave
7 Act of 1951 is amended by adding at the end thereof the
8 following:

9 "(4) This title, except section 203 (f), shall not apply
10 to chiefs of mission in the Foreign Service of the United
11 States who receive compensation at one of the rates author-
12 ized in section 411 of the Foreign Service Act of 1946
13 (22 U. S. C., sec. 866)."

14 (e) The President, in his discretion, may authorize
15 leaves of absence with pay to any officers and employees
16 who are exempted in whole or in part from the Annual and
17 Sick Leave Act of 1951 as a result of the enactment of this
18 Act. Leaves of absence authorized under this subsection
19 shall not constitute a leave system, and no such leave of
20 absence which is not used shall be made the basis for any
21 lump-sum payment. This subsection shall not affect leaves
22 of absence which may be granted to chiefs of mission in the
23 Foreign Service of the United States under section 203 (f)
24 of such Act.

25 SEC. 2 (a) The accumulated and current accrued an-

1 nual leave to which any officer or employee exempted in
2 whole or in part from the Annual and Sick Leave Act of
3 1951 as a result of the enactment of this Act is entitled im-
4 mediately prior to the date this Act becomes applicable to
5 him shall be liquidated by a lump-sum payment at the rate
6 of compensation which he was receiving immediately prior to
7 such date only upon ~~(1)~~ the separation of such officer or em-
8 ployee from the service, ~~(2)~~ the death of such officer or
9 employee, or ~~(3)~~ the transfer of such officer or employee to a
10 position under a leave system other than the leave system
11 provided by the Annual and Sick Leave Act of 1951.

12 ~~(b)~~ In the event any such exempted officer or em-
13 ployee, without any break in the continuity of his service,
14 again becomes subject to the Annual and Sick Leave Act
15 of 1951 upon the completion of his service as an exempted
16 officer or employee, such officer or employee shall be en-
17 titled to the annual and sick leave to which he is entitled
18 immediately prior to the date this Act becomes applicable
19 to him, in the same manner and to the same extent as though
20 he had been continuously subject to the Annual and Sick
21 Leave Act of 1951.

22 ~~(c)~~ In the event any such exempted officer or employee
23 is separated from the service to enter upon active service
24 in the Armed Forces of the United States, such officer or
25 employee shall be entitled ~~(1)~~ to receive compensation

1 covering the accumulated and current accrued annual leave
2 to which he is entitled immediately prior to the date this Act
3 becomes applicable to him; or ~~(2)~~ to elect to have such leave
4 remain to his credit until his return from active service in
5 the Armed Forces.

6 SEC. 3. This Act shall take effect on the first day of
7 the first pay period which begins after the date of enactment
8 of this Act.

9 *That section 202 of the Annual and Sick Leave Act of 1951*
10 *is amended by adding a subsection (c) as follows:*

11 “(c) (1) *This title shall not apply to the following*
12 *officers in the executive branch of the Government: (a)*
13 *persons appointed by the President by and with the advice*
14 *and consent of the Senate, or by the President alone, whose*
15 *rates of basic compensation exceed the maximum rate pro-*
16 *vided in the General Schedule of the Classification Act of*
17 *1949, as amended; (b) persons who receive compensation*
18 *at one of the rates authorized in section 411 of the Foreign*
19 *Service Act of 1946; and (c) such other officers (except*
20 *postmasters, United States attorneys, and United States*
21 *marshals) as may be designated by the President. No officer*
22 *in the executive branch to whom this title applies shall be*
23 *deemed to be entitled to the compensation attached to his*
24 *office solely by virtue of his status as an officer.*

25 “(2) *The President, in his discretion, may authorize*

1 leaves of absence to persons who are exempted from this title
2 pursuant to subsection (c) (1) (b) for use in the United
3 States and its Territories and possessions.”

4 SEC. 2. (a) The accumulated and current accrued an-
5 nual leave to which any officer exempted from the Annual
6 and Sick Leave Act of 1951 as a result of the enactment of
7 this Act is entitled immediately prior to the date this Act
8 becomes applicable to him shall be liquidated by a lump-sum
9 payment at the rate of compensation which he was receiving
10 immediately prior to such date only upon (1) the separation
11 of such officer from the service, (2) the death of such officer,
12 or (3) the transfer of such officer to a position under a leave
13 system other than the leave system provided by the Annual
14 and Sick Leave Act of 1951.

15 (b) In the event any such exempted officer, without any
16 break in the continuity of his service, again becomes subject
17 to the Annual and Sick Leave Act of 1951 upon the com-
18 pletion of his service as an exempted officer, such officer shall
19 be recredited with the unused annual and sick leave standing
20 to his credit at the time he was exempted from the Annual
21 and Sick Leave Act of 1951.

22 (c) In the event any such exempted officer is separated
23 from the service to enter upon active service in the Armed
24 Forces or the merchant marine of the United States, such
25 officer shall be entitled (1) to receive compensation covering

1 the accumulated and current accrued annual leave to which
2 he is entitled immediately prior to the date this Act becomes
3 applicable to him, or (2) to elect to have such leave remain
4 to his credit until his return from active service in the Armed
5 Forces or the merchant marine.

6 SEC. 3. (a) Section 203 (c) of the Annual and Sick
7 Leave Act of 1951 (65 Stat. 679) is hereby amended by
8 striking out the words "end of the last complete bi-weekly pay
9 period" and substituting the words "beginning of the first
10 complete bi-weekly pay period".

11 (b) Section 203 (d) of the Annual and Sick Leave Act
12 of 1951 is hereby amended by striking out the words "end of
13 the last complete bi-weekly pay period" and substituting the
14 words "beginning of the first complete bi-weekly pay period".

15 (c) Section 208 (a) of the Annual and Sick Leave Act
16 of 1951 is amended by striking out the words "end of the last
17 complete bi-weekly pay period" and substituting the words
18 "beginning of the first complete bi-weekly pay period".

19 SEC. 4. The foregoing provisions of this Act shall take
20 effect on the first day of the first pay period which begins after
21 the date of enactment of this Act.

22 SEC. 5. Section 401 of the Independent Offices Appro-

1 *priation Act, 1953 (Public Law 455, Eighty-second Con-*
2 *gress), is hereby repealed.*

Passed the House of Representatives April 30, 1953.

Attest:

LYLE O. SNADER,

Clerk.

83^d CONGRESS
1ST Session

H. R. 4654

[Report No. 294]

AN ACT

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

MAY 1 (legislative day, APRIL 6), 1953

Read twice and referred to the Committee on Post Office and Civil Service

MAY 19 (legislative day, MAY 15), 1953

Reported with an amendment

5. PERSONNEL. The Judiciary Committee ordered reported (but did not actually report) H. R. 4126, to continue war-risk and detention benefits for Federal employees until July 1, 1954 (p. D472).

The Post Office and Civil Service Committee ordered reported (but did not actually report) H. R. 4506, to repeal the Thomas leave rider. The Daily Digest states: "As amended, the bill repeals the Thomas leave rider beginning January of next year (1954) and extends the time for taking leave earned in the calendar year 1952 until January 2, 1954. It also amends the Annual and Sick Leave Act of 1951 by changing the 60 days of leave which employees may accumulate to 26 days, and changing the 90 days which employees outside the United States (except Foreign Service employees) may accumulate to 60 days. The bill changes the leave year so that it ends with the last full pay period. This will give employees an opportunity to use leave over the Christmas holidays without losing it in cases where they have accumulated excess leave. Leave already accumulated is preserved under the terms of the amended bill." (p. D473.)

6. SCHOOL LUNCH PROGRAM. Received resolutions from the Mass. Legislature opposing reduction in school-lunch funds (p. 5814).

SENATE

7. REORGANIZATION. S. Res. 100, disapproving Reorganization Plan No. 2 of 1953, relating to this Department, was made the unfinished business (p. 5767).

8. PERSONNEL. Passed with amendments H. R. 4654, to amend the Annual and Sick Leave Act of 1951 (see Digest 95 for provisions). Agreed to a Williams amendment to bar payments for terminal leave in excess of 60 days and to require refund of terminal-leave payments in certain cases of reemployment. (pp. 5733-7.)

9. GRAZING LANDS. Sen. Mansfield criticized H. R. 4023 and S. 1491, the so-called stockmen's grazing bills, and inserted communications he has received against the bills (pp. 5718-28).

10. PRICE SUPPORTS. Sens. Young and Mundt defended the price-support program and recommended increases in corn and wheat carryovers (pp. 5757-60).

Received from the Hawaii Legislature a resolution favoring price supports for rice and taro grown in Hawaii (pp. 5714-5).

11. INTEREST RATES. Sen. Bush defended the recent increases in interest rates on Government securities (pp. 5728-33).

12. BUDGETING. Agreed, as reported, to S. Con. Res. 8, providing for a consolidated appropriation bill (pp. 5737-8, 5743-54, 5760-7). The measure also requires appropriation bills to set forth limitations on obligations during the budget year, and requires revenue estimates to be submitted in connection with appropriation bills.

13. RECLAMATION. Received a Calif. Legislature resolution urging renegotiation of irrigation contracts in the Central Valley project (p. 5714).

BILLS INTRODUCED

14. COMMODITY EXCHANGES. S. 1990, by Sen. Young, to strengthen the investigation and enforcement provisions of the Commodity Exchange Act; to Agriculture and Forestry Committee (p. 5715). Remarks of author (p. 5716).

15. EDUCATION. H. R. 5397, by Rep. Howell, to provide for a National War Memorial Arts Commission; to Education and Labor Committee (p. 5814).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 27, 1953
For actions of May 26, 1953
83rd-1st, No. 96

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HIGHLIGHTS: Senate passed measure for single appropriation bill and bill to amend Leave Act. Sen. Mansfield criticized stockmen's grazing bill. Senate made USDA reorganization plan its unfinished business. Sens. Young and Mundt defended price supports and favored increases in corn and wheat carryovers. House passed Labor-HEW appropriation bill. House debated Army civil appropriation bill. House committee ordered reported bill to repeal Thomas' leave rider. Rep. Shelley criticized CCC's sale of peas. Rep. Hope favored USDA reorganization plan. Rep. Hope presented watershed program.

HOUSE

- 1. APPROPRIATIONS.** Passed, 395-2, with amendments H. R. 5246, the Labor-HEW appropriation bill for 1954. Adopted, 237-156, the amendment to increase by \$6 million the funds for payments to school districts in Federally impacted areas (this amendment had previously been agreed to in Committee of the Whole). (pp. 5769-71.)
Began debate on H. R. 5376, the Army civil functions appropriation bill (pp. 5772-804). This bill contains flood-control items for the Corps of Engineers. See end of this Digest for excerpts from the committee report.
- 2. CCC PEA SALES.** Rep. Shelley criticized CCC for its "sale of 80,000 tons of dried winter peas to a select group of buyers at a price well below the sale price then current," inserted his letter to the Secretary asking for details of this transaction, and criticized the lack of a reply as yet. Reps. Hope and Cooley discussed the subject with Rep. Shelley and implied that the Agriculture Committee would look into it. (pp. 5805-9.)
- 3. FLAMMABLE FABRICS.** The Rules Committee reported a resolution for consideration of H. R. 5069, prohibiting interstate commerce in highly flammable apparel and fabrics (pp. 5805, 5813).
- 4. TRANSPORTATION.** The Interstate and Foreign Commerce Committee ordered reported (but did not actually report) H. R. 3203, restricting the ICC from exercising control over the duration of leases, contracts, and other agreements for motor-vehicle use by common carriers (p. D472).

rity. They are the ones who are losing. Is not that true?

Mr. BUSH. The Senator is absolutely correct.

Mr. MARTIN. Is it not also true that the businessman who wants to speculate is the man who wins by inflation?

Mr. BUSH. Mr. President, the inflationary times through which we have passed have been wonderful for the speculators. They have done well. I suspect that that fact has been partly responsible for the reluctance of some very wealthy people and speculators to fight inflation, because they have done very well under it. At some future time I should like to develop that point, because, as I have often said, under inflation the rich become richer and the poor become poorer. Under inflation the value of the things one owns goes up, whereas the man who does not own any property does not enjoy the benefit of any increase in value. However, the cost of living goes up, and his income remains the same. Moreover, as the value of the property, securities, or real estate which the individual owns goes up, his income from such property also goes up, and he is far better off under a 5 or 10 percent inflation than is the poor fellow who owns no property, and who is lucky if he obtains a raise after the inflation. That is why the rich become richer and the poor become poorer.

Mr. MARTIN. Mr. President, I sincerely trust that at sometime in the very near future, the distinguished and able Senator from Connecticut will develop the subject upon which he has just spoken. It is essential for the people of the United States to understand that we cannot remain solvent unless our dollar is sound.

If the Senator will permit me, I should like to give an illustration of what inflation means. A farmer in my own county came to me not long ago and said: "I should like to give you an illustration of what inflation has done to me. Ten years ago I bought \$1,000 worth of savings bonds. The other day I cashed them and got my \$1,000. They cost me \$750. At the time I bought those savings bonds I could have bought a Ford car or a Chevrolet car. However, now, with my \$1,000 I could not buy half a car."

Does not the Senator agree that that is a very good illustration of the situation?

Mr. BUSH. It is a very good illustration. An additional factor is that he was supposed to be getting a return on his money. However, the inflation was so great that the return withered with the capital. The Senator is absolutely correct. I am most grateful for his assistance.

Mr. President, I yield the floor unless there are some questions.

Mr. CARLSON obtained the floor.

Mr. BRICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COOPER in the chair). Does the Senator from Kansas yield for that purpose?

Mr. CARLSON. I yield.

Mr. BRICKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRICKER. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXEMPTION FROM ANNUAL AND SICK LEAVE ACT OF CERTAIN OFFICERS IN THE EXECUTIVE BRANCH

The Senate resumed the consideration of the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

Mr. CARLSON. Mr. President, the purpose of House bill 4654 is to settle a number of issues relating to the annual leave rights of and lump-sum payments for unused annual leave to employees in the executive branch of the Government. The bill deals not only with certain matters that have caused many of us great concern during recent weeks but, in addition, it contains provisions that will enable the heads of departments and agencies to adopt more economical and efficient practices in the scheduling of work assignments and vacation periods throughout the Federal service.

The bill accomplishes the following major objectives:

First. It removes high officials in the executive branch of the Government from the leave system applicable to Federal employees generally.

Second. It ends the granting of lump-sum payments to such exempted officials covering periods of service in the future.

Third. It settles two basic questions: First, which officers are entitled to the compensation attached to their office by virtue of their status as officers and, second, which officers are required to conform to the regular statutes and regulations governing hours of work and leaves of absence.

Fourth. It restores the annual leave accumulation provisions of the 1951 Leave Act by repealing section 401 of the Independent Offices Appropriation Act, 1953—Public Law 455, 82d Congress.

Mr. President, I desire at this time to explain in some little detail the background and importance of each of the four major objectives of this bill.

First, the removal of certain high officials from the leave system applicable to Federal employees generally.

The granting of leave of absence with pay to employees of the Government goes back to the act of March 3, 1893. From then until the act of March 14, 1936, with the exception of a temporary economy act, the statutes provided in substance that the head of a department might grant 30 days' annual leave with pay to each clerk or employee.

It was not until the act of 1936 that the right of officers, as distinguished from employees, to earn and accrue an-

nual leave was established. The 1936 act, in pertinent part, provided that—

All civilian officers and employees of the United States wherever stationed and of the District of Columbia, regardless of their tenure, in addition to any accrued leave, shall be entitled to 26 days' annual leave with pay each calendar year, exclusive of Sundays and holidays.

Subsequent to enactment of the 1936 act, the Comptroller General was asked for a decision as to whether the act was applicable to the Administrator, Wage and Hour Division, Department of Labor, who had been appointed by the President with the advice and consent of the Senate.

The Comptroller General on the basis of the language of the act and in the absence of any indication in the legislative history of the act that it was not intended to apply to cabinet officers, agency heads, or other appointive officials held in a decision rendered on November 14, 1939, that the official in question, being a civilian official of the United States and not expressly excepted from the terms of the statute, was entitled to annual leave with pay under the terms of the 1936 act.

Although under this act civilian officers and employees were entitled to earn and accrue unused leave, upon the termination of their services the accrued leave to the credit of such officials and employees could not be liquidated in a lump sum. Consequently, such officials and employees were carried on the payroll in a leave status until the expiration of their accrued leave and then terminated.

By the act of December 21, 1944, Congress provided for the liquidation of accumulated and accrued annual leave due an officer or employee upon separation from the service in a lump sum.

The reason for the enactment of the 1944 act as set forth in reports of the committees on civil service of the Senate and House are, in part, as follows:

The purpose of this bill is to authorize a lump-sum payment for accumulated annual or vacation leave due any officer or employee of the Government when separated from the Government (or in the event of death).

At the present time there is no authority in law to pay an employee in money for such leave as may be due him upon separation from the service. In order to receive the benefits of accumulated leave prior to separation from the service, the date of separation must be fixed at the expiration of such leave. Employees who are to be separated from the service therefore, must be carried on the payroll as nominal employees until they have received salary for the period covered by the accumulated leave.

The reports of the Senate and House Committees on Civil Service in connection with the 1944 Lump-Sum Act then state:

This bill would provide many benefits such as the problem of dual compensation; stop service credit on the last day of active duty; permit immediate recruitment of a successor to a separated employee; would make fund available to employees leaving the services after the war enabling them to return to their homes; would simplify and expedite clearance of records in closing out installations; would eliminate considerable

paperwork for payroll sections, and would save expenses to the Government.

After the 1944 act became law, the Comptroller General, in response to a question raised by the Federal Communications Commission with regard to the leave rights of a Commissioner, held as follows:

The Annual Leave Act of March 14, 1936, is applicable to all civilian officers and employees of the United States, with certain exceptions not here material. Also, the act of December 21, 1944, is applicable to any civilian officer or employee of the United States who is entitled to receive leave of absence with pay. Therefore, a Commissioner of the Federal Communications Commission, who is a civilian officer of the United States, clearly comes within the purview of both statutes.

In 1951 the leave laws applicable to civilian officers and employees were revised by enactment of the Annual and Sick Leave Act of 1951.

The provisions of the 1951 act, like the provisions of the 1936 Leave Act and the 1944 Lump-Sum Act, apply to Cabinet members, agency heads, and other officials as well as employees.

That, in brief, is the history of the leave and lump-sum rights of civilian officers and employees in the Federal service.

The disclosure recently that 215 high officials of the Government who left the service during the period November 1, 1952, to February 15, 1953, received lump-sum payments aggregating over \$700,000 on account of annual leave remaining to their credit indicated the need for reconsideration of the issues involved.

The Committee on Post Office and Civil Service, of which I have the honor to be chairman, is unanimous of the view that a formal leave system and the right to lump-sum payments on account of any unused leave growing out of such a system is not appropriate in the case of top-ranking officials in the Government. This conclusion is based on the premise that such officials can never divest themselves of their responsibilities even during periods of vacation or illness. In effect such officials are on duty at all times; thus, it is absurd, in the case of these officials, to pretend that attendance and leave records can be maintained and then allow them lump-sum payments for unused annual leave remaining to their credit when they leave such positions.

As indicated earlier this bill has four major objectives, the first of which is the removal of certain high officials from the leave system applicable to Federal employees generally.

Section 1 of the bill accomplishes this objective by removing from the Sick and Annual Leave Act of 1951, the following:

First. All Presidential appointees in the executive branch whose ratio of basic compensation exceeds the maximum of grade GS-18—presently \$14,800.

Second. All chiefs of mission in the Foreign Service and officers of similar rank in other agencies who are paid in accordance with the provisions of section 411 of the Foreign Service Act of 1946—\$15,000 to \$25,000 a year.

Third. Other officers that may be specifically designated by the President except postmasters, United States attorneys, or United States marshals.

There are approximately 225 Presidential appointees who will be exempted from the 1951 Leave Act under the first provision referred to above. There are between 70 and 80 chiefs of mission in the Foreign Service and between 15 and 25 comparable rank officers in other agencies—principally in the Mutual Security Administration—who will be exempted from the leave act under the second provision. Under the third provision the President has the authority—except with respect to postmasters, United States attorneys, and United States marshals—to remove from the 1951 Leave Act such other officers as he may designate. It has been indicated by the Chairman of the Civil Service Commission speaking on behalf of the President that a permissive provision of this kind is advisable and necessary to bring about the exclusion of officials comparable to those specifically exempted such as the Treasurer of the United States, the civilian Commissioners of the District of Columbia, etc. It is estimated that the number of officers designated by the President will number less than a hundred. Thus, in total, the bill removes the 400 to 500 top officials of the Government from the leave act.

As indicated, the second major objective of the bill is to end the entitlement of high officials to lump-sum payments covering periods of service in the future.

This objective is accomplished by exempting such officials from coverage under the 1951 Leave Act. By terminating their right to annual leave, they automatically lose any rights to lump-sum payments covering periods of future service.

The third major objective of the bill is the settlement of two basic questions: First, which officers are entitled to the compensation attached to their office by virtue of their status as officers. Second, which officers are required to conform to the regular statutes and regulations governing hours of work and leaves of absence.

Section 1 of the bill settles both of these questions. Officers who are exempted from the act would retain their present right to absent themselves from duty as they see fit but they would lose the present unwarranted added right to leave benefits and lump-sum payments. On the other hand, officers who are not exempted from the Leave Act would lose their freedom with respect to hours of work but would retain their statutory rights to annual leave and lump-sum payments for any such unused leave upon separation from the service.

The fourth and final major objective of the bill is the restoration of the leave accumulation provisions of the 1951 Leave Act. Those provisions permit a maximum accumulation of 60 days' annual leave by employees in the United States and 90 days by overseas employees with minor exceptions.

The committee firmly believes that as a general rule, agencies should restrict

the accumulation of annual leave by seeing to it that employees take regularly scheduled vacations. However, a reasonable amount of flexibility in the use and accumulation of annual leave is desirable for a number of reasons:

First. The committee is convinced, on the basis of testimony by the Civil Service Commission, the Bureau of the Budget, the General Accounting Office, and others, that the restriction on accumulations of annual leave is costly and unduly burdensome to administer. It is costly because (a) under certain circumstances when employees are forced to take time off or lose certain benefits to which they are entitled their work is done by others on an overtime basis, at overtime rates of pay; (b) it is necessary for agencies to maintain dual records on each employee which increases overhead; (c) its effect is reflected in higher turnover and lower employee morale.

Second. During emergencies or rush periods it may be advantageous to the Government to restrict the use of leave on a partial or total basis within an agency or even throughout the Federal service as a whole. Under these conditions, if leave cannot be accumulated, administrative officials must either force employees to lose earned leave or must grant leave, which results in loss of production, and may require work by other employees at overtime rates of pay.

Third. Employees earn only 13 days annual leave during each of the first 3 years of their employment. During the 4th through the 15th years, they earn 20 days per year, and thereafter 26 days per year. Not all of this time is available for vacation purposes, for the reason that every absence from duty for any reason is charged to the employee's leave account. As a result many employees, particularly the newer ones, find it difficult and financially prohibitive to return to their homes for their vacations on the amount of annual leave earned and remaining to their credit during any given year.

Fourth. Federal employees, unlike most employees in private employment, are not covered by the Federal unemployment-insurance program. The only financial protection against unemployment Federal employees have is the accumulated annual leave standing to their credit.

Fifth. The June 30 deadline date in the Thomas amendment precedes the normal summer vacation period. Thus, to avoid the forfeiture of earned leave, employees are compelled to schedule vacations at a time that is disadvantageous to the agency where they are employed because it causes an excess of leave-taking during the closing weeks of the fiscal year, when the workload is often at its peak.

Sixth. Another factor, and one not without considerable significance, is the 1951 Leave Act itself. This act has been in effect only a little over a year—since January 6, 1952, to be specific. Under its terms the vast majority of Federal employees received a drastic cut-back in the amount of annual and sick leave earned each year. Sick leave was cut

from 15 to 13 days a year. Annual leave was reduced as follows:

(a) Employees appointed for less than 90 days, reduced from 2½ days a month to no leave at all.

(b) Employees with less than 3 years service, reduced from 26 days to 13 days a year.

(c) Employees with 3 but less than 15 years' service, reduced from 26 days to 20 days a year.

(d) Employees with over 15 years' service—no change.

These cuts as voted by the Senate in 1951, reduced the leave earnings of the 2¼ million Federal employees by 15,630,000 days, having a salary value of over \$275 million. Worded in another way, Federal employees were required to work 15 million days more, under the 1951 Leave Act, than they would have worked, had that act not been enacted. That measure was passed by the Senate and the House of Representatives. I wanted the Senate and the country to know that because of that Leave Act, the employees contributed \$275 million worth of work the Government would not have received if that act had not been changed by Congress.

The Post Office and Civil Service Committee believes that the reduced rate of leave earnings under the 1951 Leave Act is fair both to the employees and to the Government. It does believe, however, that a further restriction, such as that provided in the Thomas amendment, is neither necessary nor advisable.

In summary, on this point, repeal of section 401 of the Independent Offices Appropriation Act, 1953, and restoration of the accumulation provisions of the Annual and Sick Leave Act of 1951 would (a) enable agencies to adopt more efficient work schedules and economical practices in the granting of leaves of absence, (b) enable employees to take reasonable vacations during the normal vacation season, (c) enable employees to establish a small amount of self-provided protection in the event of sudden unemployment through no fault of their own.

In connection with the four major objectives I have covered, the bill contains the following necessary technical provisions to assure that they are carried out as intended:

Subsection (s) of section 1 enables the President to authorize leaves of absence to chiefs of mission in the foreign service and comparable officers for use in the United States, its Territories and possessions. Under the 1951 Leave Act, such officers receive, in addition to annual and sick leave, home leave at the rate of 1 week for each 4 months' service abroad. Such home leave is not in the same category as annual leave, in that it must be used for that purpose only either during one or between two assignments abroad, and when it is not used, it cannot serve as the basis for any lump-sum payment. When such officers are removed from the 1951 Leave Act, they will lose their entitlement not only to annual and sick leave, but also to home leave. It is not necessary to provide them with annual and sick leave, because as officers they have free-

dom to absent themselves from duty. It is necessary, however, to provide statutory leaves of absence for use in the United States, its Territories and possessions, so that their travel cost can continue to be paid in the future, as at present.

Section 2 of the bill suspends the entitlement of officers taken out from under the 1951 Leave Act, as a result of enactment of the bill, to liquidation, by lump-sum payment at the time of or during their exemption from the act, of any leave to which they are entitled immediately prior to their exemption.

Such leave will remain frozen to the credit of the officer until first, he is separated from the service, in which case it will be liquidated at the rate of compensation he was receiving at the time of his exemption from the Leave Act; or second, he transfers to a position subject to the Leave Act, in which case it will be recredited to him.

Finally, the bill contains a perfecting change to the Annual and Sick Leave Act of 1951.

The 1951 Leave Act provides that employees may not have more than specified amounts of annual leave to their credit at the end of the last pay period occurring in the year. The end of the last pay period may occur on any date from December 20—as happened last year—to the end of the month. When it occurs before Christmas, some employees are forced to forfeit leave they might otherwise use over the Christmas and New Year's holidays. This can be overcome by correcting the 1951 Leave Act to provide that employees may not have more than specified amounts of annual leave to their credit at the beginning of the first pay period occurring in the year. This management of the leave year will permit the use of unused accrued leave over the holidays, while maintaining the advantages of pay-period accounting.

The committee believes that enactment of the bill as reported is highly desirable in the interest of economy and good management.

Mr. President, I sincerely hope the bill will be passed.

My colleagues will notice that various amendments are submitted to the bill, which is a House measure, and deals with only one subject. In the amendments we provide for the various changes.

So, Mr. President, I urge the passage of the bill.

Mr. WILLIAMS. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I am glad to yield.

Mr. WILLIAMS. Is there in the bill any provision to prohibit the so-called firing-and-rehiring racket which was recently exposed—a plan whereby employees were being separated from the service and were paid for their annual leave, and then were being immediately reemployed, without forfeiting their annual leave?

Mr. CARLSON. Yes; there is. We think we have in the bill adequate provisions on that point, and we also feel that the General Accounting Office has made some very definite rulings on this particular phase of the matter. The dis-

tinguished junior Senator from South Carolina [Mr. JOHNSTON], the former chairman of the Post Office and Civil Service Committee, placed in the RECORD earlier this year, I believe, some correspondence he had on that subject with the General Accounting Office.

As a committee, we felt that the matter was well taken care of.

Mr. WILLIAMS. Mr. President, will the Senator from Kansas yield further?

Mr. CARLSON. I yield.

Mr. WILLIAMS. No doubt the Senator from Kansas is familiar with the amendment I offered a few days ago to one of the appropriation bills. That amendment provided that in the event an employee was separated from the service and received a lump-sum payment for his annual leave, and then was reemployed before the period covered by his annual leave had expired, he would be required to pay into the Treasury an amount equal to the unexpired portion of his annual leave.

Would the chairman of the committee accept an amendment which would prohibit that practice? I do not believe it is fully corrected in the bill as it now stands. I am sure the committee agrees with me that Congress never intended to endorse this practice when we passed the original law.

Mr. CARLSON. Our committee discussed that matter at some length. Personally, I am in accord with what the Senator from Delaware desires to do. If he believes that we have not taken care of the matter in this bill—and I certainly wish to take care of it—then I would not have objection, personally, to accepting his amendment and taking it to conference, with the distinct understanding that I am not familiar with the language of the amendment, although I am familiar with the principle he is trying to apply, with which I am in accord.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Kansas yield to me, to permit me to ask a question of the Senator from Delaware?

Mr. CARLSON. I yield.

Mr. JOHNSTON of South Carolina. Let me ask the Senator from Delaware what the amendment will do? Will it change the amount of leave Federal employees have already accumulated?

Mr. WILLIAMS. The amendment was prepared by the Legislative Counsel, and I think it accomplishes its purpose outlined but, if in conference it is found that a rewording of the amendment is needed, I would not object.

The purpose of the amendment is that in the event individual employees or a group of employees are separated from the service and receive lump-sum payments for their annual leave, and if, for example, they had 60 days annual leave coming to them, they are reemployed by the Government within the 60-day period, then to the extent that the 60-day period had not expired, they would pay back into the Treasury the amount represented by the unexpired portion.

This will prevent a repetition of the case which occurred in the Rent Stabilization Agency, where employees were

fired wholesale on Saturday night, and were reemployed on Monday morning, but in the meantime had received lump-sum payments for their accumulated annual leave.

If my amendment is adopted, and a similar incident occurs these employees could be reemployed only after they returned to the Treasury the lump-sum payments they had received for their accumulated annual leave—which I think such employees should do.

I repeat, the amendment merely provides that employees cannot draw their annual-leave payments and keep on working for the Federal Government.

Mr. CARLSON. Mr. President, as I have stated, personally I am in accord with what the Senator from Delaware is trying to do. I have had discussions with the General Accounting Office, which, after having studied the bill, has advised me that it would be glad to write a letter to the effect that the bill does take care of the matter.

As I say, I shall be willing to take the amendment to conference, where the proposal will be worked out with the conferees.

Mr. WILLIAMS. Then, Mr. President, I send the amendment to the desk.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to make a statement about the matter with which the Senator from Delaware dealt a few months ago.

I was interested in it, and I wrote to the Comptroller General of the United States, asking for a modification of the former ruling. In reply, the Comptroller General advised that, having inquired into the matter further, a ruling had been made which prohibits the very thing to which the Senator from Delaware referred a few moments ago.

Mr. WILLIAMS. I understand that is correct, but, according to my information, there is still this situation: A man can be reemployed in a different position, under a different annual-leave system. For example, if he is presently holding a position as a permanent employee, and is transferred into temporary status, he would be under a different leave system. Temporary employees have a different leave system than that of permanent employees. There is therefore a question in the minds of some of those in the Comptroller General's Office as to whether the modified rule corrects that situation. Again I say the amendment would merely accomplish what we are all trying to do, and what the Comptroller General says must be done. I think it would afford an additional safeguard.

Mr. JOHNSTON of South Carolina. I think that was true until the Comptroller General made his last ruling, which, in a way, changed his former ruling. The last ruling will, I think, take care of the situation about which the Senator from Delaware has complained. I base my statement upon the letter of the Comptroller General to me and also upon the order which he enclosed therewith.

Mr. WILLIAMS. Perhaps that is true. But if we adopt this amendment we will preclude any possible chance that

some future Comptroller General will reverse that interpretation and return to the old interpretation.

Mr. JOHNSTON of South Carolina. I agree with the Senator from Delaware about that.

Mr. CARLSON. Mr. President, would the distinguished Senator from South Carolina agree that we might take this amendment to conference?

Mr. JOHNSTON of South Carolina. I think it might be well to take it to conference. If it is found in conference that there is any question of its constitutionality—a question which might be raised by the attorneys—of course, I know that the Senator from Delaware would not further insist upon it, or would modify the amendment in order to take care of the situation.

The PRESIDING OFFICER. The clerk will state the committee amendment which is in the nature of a substitute for the bill.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That section 202 of the Annual and Sick Leave Act of 1951 is amended by adding a subsection (c) as follows:

"(c) (1) This title shall not apply to the following officers in the executive branch of the Government: (a) persons appointed by the President by and with the advice and consent of the Senate, or by the President alone, whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended; (b) persons who receive compensation at one of the rates authorized in section 411 of the Foreign Service Act of 1946; and (c) such other officers (except postmasters, United States attorneys, and United States marshals) as may be designated by the President. No officer in the executive branch to whom this title applies shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer.

"(2) The President, in his discretion, may authorize leaves of absence to persons who are exempted from this title pursuant to subsection (c) (1) (b) for use in the United States and its Territories and possessions."

SEC. 2. (a) The accumulated and current accrued annual leave to which any officer exempted from the Annual and Sick Leave Act of 1951 as a result of the enactment of this act is entitled immediately prior to the date this act becomes applicable to him shall be liquidated by a lump-sum payment at the rate of compensation which he was receiving immediately prior to such date only upon (1) the separation of such officer from the service, (2) the death of such officer, or (3) the transfer of such officer to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951.

(b) In the event any such exempted officer, without any break in the continuity of his service, again becomes subject to the Annual and Sick Leave Act of 1951 upon the completion of his service as an exempted officer, such officer shall be credited with the unused annual and sick leave standing to his credit at the time he was exempted from the Annual and Sick Leave Act of 1951.

(c) In the event any such exempted officer is separated from the service to enter upon active service in the Armed Forces or the merchant marine of the United States, such officer shall be entitled (1) to receive compensation covering the accumulated and current accrued annual leave to which he is entitled immediately prior to the date this act becomes applicable to him, or (2)

to elect to have such leave remain to his credit until his return from active service in the Armed Forces or the merchant marine.

SEC. 3 (a) Section 203 (c) of the Annual and Sick Leave Act of 1951 (65 Stat. 679) is hereby amended by striking out the words "end of the last complete biweekly pay period" and substituting the words "beginning of the first complete biweekly pay period."

(b) Section 203 (d) of the Annual and Sick Leave Act of 1951 is hereby amended by striking out the words "end of the last complete biweekly pay period" and substituting the words "beginning of the first complete biweekly pay period."

(c) Section 208 (a) of the Annual and Sick Leave Act of 1951 is amended by striking out the words "end of the last complete biweekly pay period" and substituting the words "beginning of the first complete biweekly pay period."

SEC. 4. The foregoing provisions of this act shall take effect on the first day of the first pay period which begins after the date of enactment of this act.

SEC. 5. Section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, 82d Cong.), is hereby repealed.

Mr. WILLIAMS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Delaware.

The CHIEF CLERK. On page 6, after line 18, it is proposed to insert:

SEC. 4. Under no circumstances shall any sums authorized or made available by this act be used to pay any civilian officer or employee (except an officer or employee stationed outside the continental United States) for any period of terminal leave in excess of 60 days; and if such officer or employee reenters the service within a period equal to that for which he was paid terminal leave he shall be required to refund to the United States an amount covering the period of accumulated unused.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] to the committee amendment.

Mr. CARLSON. Mr. President, we are willing to accept the amendment, and take it to conference.

The amendment to the amendment was agreed to.

Mr. CARLSON. Mr. President, I have prepared an amendment somewhat along the same line, which I ask to be made a part of the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendment intended to be proposed by Mr. CARLSON to the committee amendment was ordered to be printed in the RECORD, as follows:

On page 5, beginning with the word "only," in line 10, strike out down through line 14, and insert in lieu thereof the following: "In accordance with the act of December 21, 1944. However, no officer shall be considered, by reason of the enactment of this act, to have been transferred to a different leave system within the meaning of such act."

Mr. JENNER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. CARLSON. I will be pleased to yield to the Senator, or, if he desires

the floor in his own right, I shall yield the floor.

Mr. JENNER. I desire the floor in my own right.

Mr. CARLSON. I yield the floor.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 4654) was read the third time and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk a statement, which I ask to have printed in the RECORD at this point, as an explanation of my position on the bill which has just been passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF H. R. 4654

Section 1: This section would remove from the Annual and Sick Leave Act of 1951—

(a) Presidential appointees in the executive branch of the Government whose rates of basic compensation exceed the maximum of grade GS-18 (at present \$14,800).

(b) Chiefs of missions in the Foreign Service and others who receive compensation at one of the rates authorized in sections 411 of the Foreign Service Act of 1946 (\$15,000 to \$25,000 a year).

(c) Such other officers as may be designated by the President. However, it is specifically provided that the President may not remove postmasters, United States attorneys, or United States marshals.

Section 2: This section suspends the entitlement of those officers who are exempted from the Annual and Sick Leave Act of 1951, as a result of the enactment of the bill, to liquidation by lump-sum payment, during the period of their exemption from such act, of the accumulated and current accrued annual leave to which they are entitled immediately prior to their exemption from such act.

The accumulated and current accrued annual leave to which any such officer is so entitled is to be liquidated, by lump-sum payment at the rate of compensation which he was receiving immediately prior to his exemption from the Annual and Sick Leave Act of 1951, if, while he is within the class of such exempted officers, he is separated from the service, dies, or is transferred out of the exempted service to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951.

Section 3: Under the present act, regular accumulation limits of from 60 to 90 days take effect at the end of the last pay period in the calendar year. This means that employees who have reached the regular accumulation limit must use or forfeit all leave earned in the year by, for example, December 21 or 22. Thus, they must lose leave which, within a few days, could be used over the Christmas and New Year's holidays. This section allows accumulation limits to take effect at the beginning of the first pay period of the calendar year, thus permitting the use of unused accrued leave over the Christmas and New Year's holidays, while

maintaining the advantages of pay-period accounting.

Section 4: This section provides that the foregoing provisions shall take effect on the first day of the first pay period following enactment.

Section 5: This section repeals section 401 of the Independent Offices Appropriation Act, 1953, thereby reinstating the accumulation provisions of the Annual and Sick Leave Act of 1951.

A reasonable amount of flexibility in the use and accumulation of annual leave is desirable for a number of reasons:

(1) The committee is convinced, on the basis of testimony by the Civil Service Commission, Bureau of the Budget, General Accounting Office, and others that the restriction on accumulations of annual leave is costly and unduly burdensome to administer. It is costly because (a) under certain circumstances when employees are forced to take time off or lose benefits to which they are entitled their work is done by others on an overtime basis at overtime rates of pay, (b) it is necessary for agencies to maintain dual records on each employee which increases overhead, (c) its effect is reflected in higher turnover and lower employee morale.

(2) During emergencies or rush periods it may be advantageous to the Government to restrict the use of leave on a partial or total basis within an agency or even throughout the Federal service as a whole. Under these conditions, if leave cannot be accumulated, administrative officials must either force employees to lose earned leave or grant leave which results in loss of production and may require work by other employees at overtime rates of pay.

(3) Employees earn only 13 days annual leave during each of the first 3 years of their employment. During the 4th through the 15th years, they earn 20 days per year, and thereafter 26 days per year. Not all of this time is available for vacation purposes for the reason that every absence from duty for any reason is charged to the employee's leave account.

(4) Federal employees, unlike most employees in private employment, are not covered by the Federal unemployment insurance program. The only financial protection against unemployment Federal employees have is the accumulated annual leave standing to their credit.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the following resolution:

Resolved, That pursuant to Public Law 32 of the 83d Congress, the Speaker announced the appointment of the following Members to serve as members of the Joint Committee on Observance of the 50th Anniversary Year of Controlled Powered Flight: Mr. HINSHAW of California, Mr. O'HARA of Minnesota, Mr. SCHENCK of Ohio, Mr. BONNER of North Carolina, Mr. PRIEST of Tennessee, and Mr. MACK of Illinois.

VISIT TO THE SENATE OF FRANCISZEK JARECKI, A POLISH FLIER

Mr. WILEY. Mr. President, I desire to have the attention of the Senate for a few moments. Back in the days when this country was struggling for its liberty, the names of Pulaski and Kosciuszko were very familiar to the people throughout the Thirteen Original States. Those men had joined with us in our fight for liberty. Very recently, the newspapers told of an incident involving

a modern hero from Poland. It was the story of a young Polish flier, a boy 19 years of age, who had been separated from his mother when he was 9; who was captured by the Russians, and indoctrinated and inoculated with communistic thought from the Kremlin. The name of that young man is Franciszek Jarecki. The Russians felt that they had made this boy subservient to the concepts of Marxism, but he so well concealed his reactions that he became one of the great lieutenants in the Russian Air Force.

A few weeks before he decided to leave Russia, there came to his attention the fact that the Russians were getting a new jet plane; so he delayed his departure. He obtained one of those planes. Then, as he was flying in company with three other men, he decided that it was time for him to join up with what he called Anders Army of the Free Poles. He forthwith flew his plane to Denmark, where he landed. He was imprisoned for 13 days. Upon his release, he found his way to England, and, finally, to America. He now wants to join the American Air Force, to fight at this time for the country for which Kosciuszko and Pulaski fought more than 150 years ago.

Mr. President, it is my great privilege today to have this young man in the Senate gallery as my guest. I ask him to rise, that we may honor him with our plaudits.

[Mr. Jarecki rose from his place in the gallery, and was greeted with applause, Senators rising.]

Mr. CARLSON. Mr. President, I wish to remind the distinguished Senator from Wisconsin and other Senators that I happened to be at Idlewild Airport when this young man arrived from across the seas. I believe I was the first Member of the United States Senate to have the opportunity of welcoming him to our country, and of assuring him of our appreciation of the fine work he has done. We are very happy that he is here, and I sincerely trust that we may have much benefit from his splendid services.

CONSOLIDATED GENERAL APPROPRIATION ACT

Mr. BRICKER. Mr. President, I move that the Senate proceed to the consideration of Senate Concurrent Resolution 8. It is Order No. 267 on the calendar.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The CHIEF CLERK. A concurrent resolution (S. Con. Res. 8) providing for a consolidated general appropriation act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

Mr. ELLENDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that

further proceedings under the call be dispensed with!

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JENNER obtained the floor.

Mr. KNOWLAND. Mr. President, will the Senator from Indiana yield?

Mr. JENNER. I yield.

Mr. KNOWLAND. Mr. President, immediately preceding the request for a quorum call, the Senator from Ohio [Mr. BRICKER], who had been acting for me at a time when I was attending a meeting of the Republican Policy Committee, moved that the Senate proceed to the consideration of Calendar No. 267, Senate Concurrent Resolution 8, providing for a consolidated general appropriation act. I now renew that motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution (S. Con. Res. 8) providing for a consolidated general appropriation act, which had been reported from the Committee on Rules and Administration with an amendment.

WAR IN KOREA

Mr. JENNER. Mr. President, we owe a debt of gratitude to the leader of the Socialist Party of Britain.

Clement Attlee has pulled the wool from our eyes. He has shown us the proposed sell-out of our fighting men in all its ugly nakedness.

At the Pacific political conference, to be held 90 days after the cease-fire in Korea, we are to sign away our honor and give Soviet Russia and her satellites the fruits of victory.

Mr. President, have we been defeated by Red China? Is it true we must drink to the last drop the bitter brew of defeat? Are the Communists victors who must receive the rewards of victory?

We have not been defeated in the field, Mr. President.

Never in all our long history, from the days of the Indian fighting in the wilderness, have Americans fought more bravely against more cruel odds than our American youth have fought against in the Korean theater in what was in reality the battle for Asia.

It is my belief, Mr. President, that we were never meant to win the war in Korea.

The plans were laid, down to the last detail, to push our men quickly off the Peninsula at Pusan, and leave all Asia to the Red forces.

The Communists in the Soviet Union, and their obedient agents in this country, knew Korea was halfway round the world from our sources of supply.

They knew Korea had been chosen for the decisive thrust because it was the most unfavorable terrain for a nation whose advantages lay in modern industrial power.

The Communists in Russia and in Washington knew we would be hopelessly defeated.

But our fighting men and our fighting military leaders did not understand defeat. Our Navy did not know it was

impossible to steam across the Pacific in time to get the Marines into battle. So they did it.

Our commander in the Far East, Gen. Douglas MacArthur, did not know it was impossible to strip Japan of our garrison forces.

Our supply men did not know it was impossible to get planes and guns across the Pacific.

Our salvage men in Japan did not know it was impossible to get pieces of junk from Pacific island dump heaps and turn them into parts of planes and vehicles.

Our airmen did not know it was impossible to go up in the fog, but they did it.

The American forces were not driven back into the Pacific.

Instead, they drove the Korean Communist forces back in total defeat.

Our commanding general and his advisors turned the line at Inchon and recaptured South Korea.

The Red Chinese entered the war. We surprised them as they formed their new invasion army. Our forces had to withdraw, but turned to fight again, ready for the final test.

All this is to establish one all-important fact: the Communist forces were defeated in the spring of 1951, more than 2 years ago.

General Van Fleet has now made even clearer what was then unmistakably clear.

He says without equivocation that on April 28, 1951, the so-called U. N. forces had stopped the last big Red offensive cold, and a counterattack at that moment would have sent them reeling back toward disaster.

I repeat, Mr. President, General Van Fleet says our Armed Forces had disastrously defeated the combined North Korean and Chinese Communist armies 2 years ago.

When the Soviet peace proposal was broached in June 1951 the short-wave radio networks around the world were filled with statements of foreign spokesmen:

The Americans will never accept the Soviet peace offer. They have won the war. American firepower has proven it is superior to the vast manpower pools of Asia.

Everybody knew we had won the war—everybody but us.

Faced with the fact the Reds were beaten, did the pro-Red clique in our Government hesitate? No, Mr. President. They decided to do by indirection what they had bungled by letting the military use part of their strength.

In the 2 succeeding years, someone in our Government snatched defeat from the jaws of victory, and lowered the proud standard of American military power while our officials bent the knee to the new barbarians.

First of all—and this is not a digression—the American people and their spokesmen had been persuaded in early 1951 to send American troops, as well as American materiel, to Europe, though all the fighting was in Asia.

Mr. President, let me ask you this question: If you were one of the masterminds in the Kremlin, planning to destroy America without arousing her

strength, if you had to quench the patriotic fire roused by prolongation of the fighting in Korea, could you have imagined any better way to keep down the fighting forces in Asia, and to keep them short of ammunition, than to build up a fictitious crisis in Europe?

Mr. President, let us never forget that this game is played on the world chessboard, and the debate on sending troops to Europe in early spring of 1951 was in fact a debate on not sending them to Korea. Having carefully diverted attention to Europe, the appeasers could move in Asia.

On April 10, 1951, the American commander in the Far East was summarily dismissed. He first learned of his dismissal from Mrs. MacArthur who had been told by an aide who had heard it over the radio.

What evil deed of our American commander occasioned his dismissal? He had asked the Reds if they were ready for a cease-fire and warned them that, if they were not, he would step up the attack. That was good American offensive strategy, and conformed at every step with military etiquette for commanders in the field.

On May 17, President Truman said he had dismissed our commanding general because this offer of an armistice wrecked his, the President's, plan for peace. General MacArthur answered this admission in one of the most important statements he ever made.

He said that twice before he had made the same offer without any objection and the a cease-fire could only be regarded as in full support of any political move toward peace, and here I ask you, Mr. President, to listen carefully while I quote exactly:

Unless an agreement was in contemplation on the enemy's own terms.

General MacArthur knew then, as many Senators knew then, that, on March 24, 1951, an agreement was in fact in contemplation to make peace on the enemy's own terms.

Our political leaders were working then to destroy at the council table, and in the press, the hard-won victory of our men on the battlefield.

In May 1951 I said:

For months the administration's artists in propaganda have been softening us up in preparation for a Yalta peace in the Far East, for a settlement which at first looks like a victory, but like Yalta, would in reality be a sellout.

I even stated the terms of this sellout, because the Soviet Union had formally presented them on December 9, 1950, before the U. N.

The Soviet Union had said that peace could be obtained in Korea on two conditions.

First. That all foreign troops be withdrawn immediately from Korea.

Second. That the decision on the Korean question be entrusted to the Korean people themselves.

I said then:

All the Soviet Union wants is to get the American Armed Forces out of Asia.

Then time and the fifth column will do the rest.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 29, 1953
For actions of May 28, 1953
83rd-1st, No. 98

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HIGHLIGHTS: Senate committee reported State, Justice, Commerce appropriation bill. Sen. Eastland urged bartering surplus commodities for foreign goods. House requested conference on executive leave bill.

HOUSE

1. PERSONNEL; LEAVE. Disagreed to Senate amendments on H. R. 4654, exempting certain Government officials from the Annual and Sick Leave Act of 1951, and requested a conference, appointing Reps. Rees, Corbett, St. George, Murray, and Davis (Ga.) as conferees (p. 5975).
2. SMALL BUSINESS. The Banking and Currency Committee reported with amendment H. R. 5141, to create a Small Business Administration (H. Rept. 494)(p. 5978).
3. GRAZING LAND. Rep. D'Ewart inserted two letters favoring his bill, H. R. 4023, the stockmen's grazing bill (pp. 5970-2).
4. ADJOURNED until Mon., June 1 (p. 5978). Legislative program, as modified (see Digest No. 97), as stated in "Daily Digest": Mon., no business scheduled; with Consent Calendar on Tues.; Wed. and balance of week, Reorganization Plan No. 2 on this Department, and H. R. 4406 and H. R. 992, establishing commissions on governmental functions and organization of the executive branch (p. D485).

SENATE

5. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 4974 the State, Justice, Commerce appropriation bill for 1954 (S. Rept. 309)(p. 5940) Sen. Bridges submitted 10 notices of intention to suspend the rules for proposing amendments to this bill, including amendments which would permit the Secretaries of State and Commerce and the Attorney General, during the 1954 fiscal year, to terminate the employment of any officer or employee of their respective

"whenever [they] shall deem such termination necessary or advisable in the interests of the United States" (pp. 5940-2).

6. FOREIGN TRADE. The Rules and Administration Committee reported with additional amendments S. Res. 25, providing for an investigation of means to expand foreign investment and trade (S. Rept. 310) (pp. 5940).
7. SURPLUS COMMODITIES. Sen. Eastland spoke on the food surplus problem, saying these surpluses, "with falling export markets, if permitted to accumulate, will blow up the farm support-price program," and urging bartering surplus farm products for foreign military equipment (pp. 5943-5).
8. NOMINATION. Received the nomination of Nelson A. Rockefeller to be Under Secretary of Health, Education, and Welfare (p. 5962).
9. RECESSED until Mon., June 1, (p. 5961).

BILLS INTRODUCED

10. CERTIFYING PAYMENTS. S. 2018, by Sen. Langer, to relieve disbursing officers, certifying officers, and payees with respect to certain payments made in contravention of appropriation restrictions regarding citizenship status; to Judiciary Committee (p. 5940).
11. IMMIGRATION. H. R. 5450, by Rep. Heller, to admit 100,000 immigrants who are natives and citizens of Italy; to Judiciary Committee (p. 5969).
12. MARKETING QUOTAS. H. R. 5451, by Rep. Hope, to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to Agriculture Committee (p. 5979).
13. FARM LOANS. H. R. 5456, by Rep. Ayres, to extend to June 30, 1954, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor; to Veterans' Affairs (p. 5979).
14. BUDGETING. H. Res. 258, by Rep. Coudert, creating a select committee to conduct an investigation and study of how the annual budget may be balanced and deficit financing eliminated; to Rules Committee (p. 5979).

ITEMS IN APPENDIX

15. BEEF PRICES. Sen. Hickenlooper inserted a discussion by J. C. Holbert, Iowa Beef Producers Association, on the reasons for lower beef prices and the steps that should be taken by the Government to stabilize the market (pp. A3192-3).
16. DAIRY INDUSTRY. Rep. Hope inserted a report titled "Effect of Lower Corn Price Supports on Milk Production Costs" (p. A3194).
17. PRICE CONTROLS. Rep. Multer inserted a California Law Review article titled "Price Stabilization During a Period of Cold War" (pp. A3199-203).
Rep. Hiestand inserted the testimony of Herrell DeGraff for the American Meat Institute before the H. Banking and Currency Committee opposing standby price-control legislation (pp. A3217-20).
18. FLOOD CONTROL. Rep. Smith (Miss.) inserted an address of Maj. Gen. Samuel Stur-

located in northerly latitude, and therefore the weather is extremely variable.

I hope that Mr. Weeks will reconsider closing this station, because, Mr. Speaker, how are the people of Butte going to know when it is necessary to put battery additive AD-X2 into their batteries if they are not warned of an impending cold spell?

SPECIAL ORDERS GRANTED

Mrs. ROGERS of Massachusetts (at the request of Mr. COLE of Missouri) was granted permission to address the House for 10 minutes today, following the legislative business of the day and any other special orders heretofore entered.

Mr. BONNER (at the request of Mr. McCORMACK) was granted permission to address the House for 30 minutes on Tuesday next, following the legislative business of the day and any other special orders heretofore entered.

Mr. McCORMACK asked and was granted permission to address the House today for 5 minutes on the subject of Armenian Independence Day, following any other special orders heretofore entered.

EXEMPTION FROM ANNUAL AND SICK LEAVE ACT OF 1951

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. REES of Kansas, Mr. CORBETT, Mrs. ST. GEORGE, Mr. MURRAY, and Mr. DAVIS of Georgia.

CALENDAR WEDNESDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

THE LATE HONORABLE GOMER SMITH

[Mr. JARMAN addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. JARMAN. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, it is difficult for any Oklahoman to realize and comprehend that Gomer Smith is gone.

In his brilliant career and lifetime, he was a driving force of great vitality and energy, with a tremendous impact upon the government and life of Oklahoma.

He was also one of the great orators of the entire history of the Southwest,

with a splendid gift of eloquence which was well known to every Sooner.

Lawyers knew him as a peerless and untiring foe in the courtroom, who fought with every fiber of his being for his cause and his client.

I knew Gomer best through friendship with his son, Gomer, Jr., who is a worthy heir to the great name to which his father gave such distinction in the field of government, in the field of politics, and in the practice of the law.

By his fine character, generous nature, and noble spirit, even as a boy, Gomer, Jr., gave full evidence of the nobility of the father.

To this splendid son of a great Oklahoman who has fallen, and to all other members of the Smith family, I am grateful for the opportunity to join in this expression of sincere sympathy.

Mr. JARMAN. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Speaker, news of the death of Gomer Smith has saddened me because I have lost a very fine personal friend and my State has lost a distinguished citizen.

I had the privilege of serving as secretary to Mr. Smith during the time he served as a Member of the 75th Congress. This association made it possible for me to know him intimately and to understand his philosophy of life.

He was a great orator, a pioneer liberal, and a fighter who loved to champion the underdog. Long ago lawyers learned to respect him in the courtroom as a worthy opponent and much of his fame stems from the battles he waged so successfully in litigation in the courts of Oklahoma. Some of the first decisions in cases involving newspaper libel laws came from his legal efforts and the press owes him a debt of gratitude for this work.

But, most of all, he championed great liberal causes. Years before most of the programs we take for granted today were popular as political issues, he was speaking out for them. He made numerous faces for State office in his lifetime and each campaign was marked by his colorful and effective espousing of issues in which the common people had a great stake. It was often said of him that he always thought ahead of the times.

He was a generous and considerate employer. Possessed of a great capacity for reading, his mind was always searching for new knowledge and new ideas. I profited greatly from this association and learned much in the affairs of government from him.

He was a devoted father and husband. His family life was a warm picture of the finest type of American living.

My sympathy goes out to his wife, Hazel, and to his 2 sons and 3 daughters.

It will be a long time before another such stalwart defender of the common man comes this way.

Mr. JARMAN. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. LONG].

Mr. LONG. Mr. Speaker, it was my privilege to be personally acquainted with Gomer Smith, a former Member of this body from Oklahoma, who passed

away yesterday. I have had the pleasure of speaking from the same platform with Mr. Smith many, many times. Mr. Smith came to Oklahoma while I was yet a resident of that State in 1922, and his rise to prominence in Oklahoma was very rapid. Gomer Smith began life as a poor boy, but gained a great deal of wealth after coming to Oklahoma, gained it by his own efforts. He was considered one of Oklahoma's greatest lawyers and orators.

I join my colleagues from Oklahoma in extending to his family my sincere sympathy in their hour of bereavement.

Mr. WICKERSHAM. Mr. Speaker, I learned with deep regret of the death of the Honorable Gomer Smith, one of our former colleagues from the great State of Oklahoma. Gomer Smith and all the members of his family were very close personal friends of mine. Gomer Smith distinguished himself as one of the outstanding leaders of our Nation. His untimely death is regrettable. He will long be remembered by his outstanding achievements during his lifetime. He had a wealth of friends far above his great wealth in money.

He was a man of sound judgment; he possessed a keen judicial mind. He had a way of winning friends. He was a silver-tongue orator, like William Jennings Bryan. His natural wit and homespun philosophy characterized him, as it did the late Will Rogers of Oklahoma. He was an outstanding trial lawyer, a real statesman, and a wonderful family man. He had wonderful power of persuasion before a jury and before the people.

I wish to extend my sympathy to the members of his bereaved family and his many friends.

Mr. ALBERT. Mr. Speaker, I join with my colleagues in deeply regretting the death of the late Honorable Gomer Smith, formerly a Member of this House.

I have known Gomer Smith for many years. He was one of the outstanding lawyers in the history of the Oklahoma bar. As a trial attorney, he had few peers anywhere. He was a man of great intelligence, tremendous courage, and remarkable tenacity.

His death is a great loss to the people of my State. I extend to his family and loved ones my deepest sympathy.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that all Members of the House of Representatives may extend their remarks at this point in the RECORD on the life and character of the late Gomer Smith.

The SPEAKER pro tempore (Mr. HESELTON). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMUNISTIC AND SOCIALISTIC PROPAGANDA PUBLICATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 15 minutes.

Mr. BOW. Mr. Speaker, I have today introduced two bills aimed at combatting the widespread distribution of communistic and socialistic propaganda

publications which put forth a constant effort to poison the minds of Americans, and which are particularly aimed at the youth of America.

In a speech on the floor of the House on April 30, I pointed out the danger of permitting the uninhibited distribution of publications such as New Hungary, which is published by the legation of the Hungarian People's Republic. As I stated on that occasion, New Hungary is sent unsolicited to schools throughout the Nation. It is replete with glowing statements of the advantages of socialism; claims that Hungary is interested only in peace; and has only praise for Soviet Russia.

My great concern, and the concern of school officials who have discussed the matter with me, is that perhaps some of the young people in our schools, not well enough acquainted with propaganda to recognize it, may accept the misrepresentations of the Communists and Socialists as fact.

That is the reason for my bills. I am confident that no good American citizen, young or old, will be taken in by the propaganda line of Hungary or any other nation if he knows beforehand that the publication he is reading is propaganda material and that it is published or distributed by one of those countries which has as its aim the undermining of our Nation.

One bill which I introduced would require the Office of Education to compile and make available to schools throughout the United States a list of all foreign publications which might be undesirable for school use because of their tendency to promote undemocratic forms of government. Under the provisions of the bill, the Office of Education would study and examine all publications made available in the United States by foreign governments or their official representatives, in order to determine whether these publications include material which promotes any communistic, socialistic, fascistic, or other form of government incompatible with our own. The Commissioner of Education would be required to issue periodic bulletins to be sent to all public and private schools and colleges, listing undesirable publications and citing reasons for their being classified as undesirable.

The second bill provides that any publication distributed through the mails by or on behalf of a communistic, socialistic, or fascistic nation must bear a prominent and clear label stating the name of the nation and the form of the government.

You will note that neither bill attempts to censor these publications, or to prevent their being mailed. The purpose of the bills is merely to assure that recipients of these publications know the nature of the material they receive. If after receiving a warning from the Office of Education to the effect that a certain publication is undesirable, a school wishes to continue to receive the publication, it is free to do so.

In other words, this is simply and plainly an effort to adopt a hardheaded and sensible approach toward one prong of the effort by our enemies to under-

mine the American way of life. This is too important a matter to permit softness. It is time we got practical and tough, and make it more difficult for foreign nations to bombard our people with vicious propaganda which they smoothly disguise as truth.

I call upon every Member of the Congress to support these bills. They in no way impose censorship; they merely require that students and older citizens of America be given fair warning as to the contents of foreign publications.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Illinois.

Mr. BUSBEY. Mr. Speaker, I have read the two bills that the gentleman from Ohio [Mr. Bow] has introduced and I wish to commend him for his study regarding this situation. The two bills should be favorably acted upon by the House of Representatives.

Mr. BOW. I thank the gentleman for his comment.

WILLIAM OATIS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

(Mrs. ROGERS of Massachusetts asked and was given permission to revise and extend her remarks.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I see by the press it is feared that William Oatis developed tuberculosis while he was a prisoner. I was one of those who spoke often on the floor of the House begging and insisting that William Oatis be freed. I felt our own Government at that time could have done more in having him freed than it did. I said on the floor as others did that undoubtedly the health of William Oatis would be very much impaired and even his reasoning might be harmed by his imprisonment. Nobody knew what had been done to him; nobody knew what sort of food he received. The development of tuberculosis, I think, proves that our contentions were right. Seeing him on television after his release, I noted that he looked like a very sick man and I thought also he talked like a deeply distressed man. I am sure if we had anyone in prison in the United States for any purpose, that prisoner would not be treated so that he would develop tuberculosis.

Mr. Speaker, I hope William will have the best of care and a speedy recovery.

THE PRESIDENT'S GARDEN PARTY

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I attended, as I have for many years since the early days, approximately 40 years ago, the garden party given by the President and the First Lady of the land. It was a beautiful day. President Eisenhower and Mrs. Eisenhower seemed very glad to see our disabled veterans. For 2 hours they received them. My mind went back to the early days of the early garden parties in World War I given by President and Mrs. Wilson when there

were comparatively few disabled veterans. Then came the increased number of veterans at the garden parties given by succeeding Presidents, then recently, since the Korean war, the tremendously increased load. Yesterday afternoon I talked with many persons there regarding the proposed cuts in the care of our veterans. It is unthinkable, Mr. Speaker, that today there should be cuts; cuts where they hurt in hospitalization, in care and service to the veterans. I hope and pray that the Committee on Appropriations will ponder very carefully before they make those cuts. The budget has been ruthless.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. BOW. Does the gentlewoman know of any cuts that are anticipated or that have been proposed which directly affect the care and welfare of the veterans?

Mrs. ROGERS of Massachusetts. Yes, I understand that they are proposed by the budget office. The Committee on Appropriations has not yet O. K.'d them, I believe, and I am hoping that they will not.

Mr. BOW. Well, could the gentlewoman tell the House in what particular there are specific cuts proposed by the Director of the Budget which would affect the hospital care or the actual care of the veterans themselves, or whether or not, perhaps, the cuts go to other things in the veterans' bill.

Mrs. ROGERS of Massachusetts. I hear entire hospitals are to be deferred, contact men eliminated and other personnel. I have not the figures before me but I will be glad to, perhaps this afternoon or at a later date, insert them in the RECORD.

Veterans have died because they were not hospitalized, and service-connected cases at that. There have been mental cases who were not cared for. Boys have even committed suicide and committed murder because they could not be hospitalized. It should be gone into extremely carefully before any cuts are made. There is one thing we can do, and that is take care of our disabled men by hospitalization.

Mr. BOW. Although I am not on the subcommittee that handles veterans' affairs, I am a member of the Appropriations Committee. I think most of the Members feel as I do, that we should not cut anything which affects the care, the hospitalization, or the rehabilitation of a deserving veteran. Perhaps there are some places in administrative work where some cuts should be made, but as to the actual care of a disabled veteran, certainly it would not be my position as to a veteran's law, and I feel there are many others who feel the same, that any cuts should be made with that kind of care.

Mrs. ROGERS of Massachusetts. I think some cuts can be made in the administration, but cuts should not be made where they are going to prevent men from being hospitalized or given proper service. Services should not be

6. ST. LAWRENCE SEAWAY. Rep. Dondero inserted a resolution unanimously agreed to by the Republican Senators and Representatives of Michigan in favor of this project, and Reps. Oakman and Machrowicz joined in this approval (pp. 5984-6).
7. ELECTRIFICATION. Rep. Jones (Ala.) compared the building of TVA's Shawnee steam plant with a similar project of private utilities, and claimed TVA to be more efficient (pp. 6002-3).
8. TREATIES. Received a DAR petition endorsing the principles of Sen. Bricker's proposed constitutional amendment to limit the treaty-making power (p. 6005).

SENATE

9. PERSONNEL; LEAVE. Sens. Carlson, Duff, Jenner, Johnston (S.C.), and Neely were appointed conferees on H. R. 4654, to amend the Annual and Sick Leave Act of 1951 (p. 6014). House conferees were appointed on May 28.
10. APPROPRIATIONS. Began debate on H. R. 4974, the State, Justice, Commerce appropriation bill for 1954 (pp. 6018-46, 6050-2). A committee amendment authorizing the Secretary of State to terminate any employee when necessary or desirable in the U. S. interest, and a Carlson amendment in the nature of a substitute for this committee amendment which limited this power to terminating employees whose positions are exempted from the competitive civil service, were ruled out of order; but notice was given that the amendment will be offered again today for a two-thirds majority vote (pp. 6034-45).
11. FOREIGN AID. Sen. Carlson urged immediate shipment of 37.5 million bushels of surplus wheat to Pakistan, recommended that a portion of this shipment be in the form of flour, and inserted his letter to MSA Director Stassen on this subject (p. 6014).
12. FARM PROGRAM. Sens. Kerr, Humphrey, Morse, Sparkman, and others discussed falling farm prices, claiming that under present price support policies the cattle owners have lost "billions of dollars," whereas the meat packers have made great profits, and criticized increases in interest rates, including the proposal to increase rates on REA loans to 4% (pp. 6052-9).
13. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendments S. 1461, to amend the Interstate Commerce Act concerning common carriers' requests for increased rates (S. Rept. 317) (p. 6008).
14. FLAG. Passed as reported S. 694, prohibiting display of other flags equal, above, or in place of the U. S. flag (p. 6016).
15. BANKING AND CURRENCY. Sen. Morse inserted Frank Edwards' recent radio broadcast criticizing the Administration's fiscal policy (p. 6059).
16. SCHOOL-LUNCH PROGRAM. Received a Mass. Legislature resolution protesting reduced appropriations for this program (p. 6007).
17. ST. LAWRENCE SEAWAY. Sen. Ferguson inserted a resolution from the Republican members of Congress from Mich. endorsing cooperation between Canada and this country in constructing this project (pp. 6007-8).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 2, 1953
For actions of June 1, 1953
83rd-1st, No. 99

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HIGHLIGHTS: Senate sent bill to amend Leave Act to conference. Senate debated State, Justice, Commerce appropriation bill. Sen. Carlson urged shipment of surplus wheat to Pakistan. Sens. Kerr, Humphrey, Morse, and others, criticized falling farm prices and increased interest rates. Rep. Hope announced subcommittee to investigate CCC pea sales. Both Houses received reorganization plans establishing Foreign Operations Administration, U. S. Information Agency, and Council of Economic Advisers.

HOUSE

1. **REORGANIZATION.** Both Houses received the President's message (H. Doc. 156) transmitting the following reorganization plans: No. 7, establishing a new Foreign Operations Administration and abolishing the present Mutual Security Agency and certain offices (H. Doc. 157); No. 8, establishing a new U. S. Information Agency (H. Doc. 158); and No. 9, reorganizing the Council of Economic Advisers (H. Doc. 159); to Government Operations Committees (pp. 5987-91, 6050).
2. **APPROPRIATIONS.** The Appropriations Committee reported H. R. 5471, the D. C. appropriations bill for 1954 (p. 6004).
3. **CCC PEA SALES.** The "Daily Digest" states: "Chairman Hope announced today that a subcommittee (Rep. Hoeven, chairman) would investigate the Commodity Credit Corporation sale of 80,000 tons of Austrian winter peas to three west-coast concerns. Other members of the subcommittee are Reps. Dague, Belcher, Williams of N. Y., Wampler, Gathings, Albert, Sutton, and Jones, of Mo. Chairman Hoeven stated that he expected to call the group together Wednesday morning for a discussion of procedure for the inquiry". (p. D489.)
4. **WHEAT QUOTAS.** The "Daily Digest" states: "Chairman Hope stated today that hearings will be held beginning Thurs., June 4, on H. R. 5451, making changes in the wheat marketing quota provisions of agricultural laws. They are expected to continue for 2 or 3 days." (p. D489.)
5. **LIVESTOCK DISEASES.** Received this Department's proposed bill to provide for the control and eradication of scrapie and blue tongue in sheep, and incipient or potentially serious minor outbreaks of diseases of animals; to Agriculture Committee (p. 6004).

of the Soviet Union's current manifestations of a desire for peace and friendly relations; (7) gain for the United States additional listening posts behind the Iron Curtain, and open possibilities for contact with active anti-Soviet national leaders.

We respectfully urge you to support this resolution in the interest of America's gaining the initiative in the crucial area of psychological strategy and exposing the camouflaged imperialistic acts of the Soviet Union toward the captive peoples and satellite nations.

Respectfully yours,

Dr. ANTHONY ZUKOWSKY,
President, UCCA State Branch of
North Dakota.

Vice presidents: Steve Hlebichuck, Bismarck, N. Dak.; Irene Hordynsky, Drake, N. Dak.; Alex Chorny, Wilton, N. Dak.

Secretary: William Sawycky, Wilton, N. Dak.

Treasurer: William Melnik, Beach, N. Dak.
Board members: Nick Chernos, Wilton, N. Dak.; John Kytorys, Dickinson, N. Dak.; Peter Iwaniw, Riverdale, N. Dak.

Advisory board: Dr. Bohdan Hordynsky, Drake, N. Dak.; Irene Mychajluk, Enderlin, N. Dak.; Nick Prokop, Belfield, N. Dak.; Katherine Melnik, Beach, N. Dak.; Dmytr Sawycky, Wilton, N. Dak.; Nick Sologuk, Wilton, N. Dak.

WHEAT FOR PAKISTAN

Mr. CARLSON. Mr. President, Congress is being urged to act immediately on a request for the shipment of 37.5 million bushels of wheat to Pakistan.

Yesterday at a radio forum, Harold Stassen, Director of the Mutual Security Agency, stated that a committee from the State Department had made a thorough study of this famine-stricken country and the need for this food.

Governor Stassen stated that it was his firm conviction that the shipment of this amount of food to Pakistan would not only stabilize the present Government, which is friendly to us, but would mean much to our future relations in that entire section of Asia.

We shall have, on July 1, a carryover of some 550 million bushels of wheat. Therefore, wheat is one commodity we can ship without in any way damaging our reserve.

Let me respectfully suggest that—

First. The Senate take early action on this request.

Second. Every effort be made to get some of this grain to Pakistan by August 1, for I am advised that arrival of the wheat at that time would be most helpful.

Third. A percentage of it be shipped in the form of flour, in order that this foodstuff may be ready for immediate use.

I now ask unanimous consent to have printed at this point in the RECORD a copy of the letter I have written to Governor Stassen.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 1, 1953.

Hon. HAROLD STASSEN,
Director, Mutual Security Administration,
Washington, D. C.

DEAR GOVERNOR STASSEN: After listening last Sunday to your splendid statement regarding your trip to the Far East, your statement in regard to the famine conditions in

Pakistan, and the benefits to be derived from the shipment of foodstuffs, I am urging immediate action in the Senate in order that we may have the full benefit from the shipment of this grain.

As I understand it, the National Security Council is making a study of this request and I sincerely trust they will make their recommendations at an early date.

We have a surplus of wheat in this Nation and the shipment of wheat and flour from our reserves would not in any way endanger our own food supply.

I would recommend that a portion of this shipment be in the form of flour, in order that it would be ready for immediate use on arrival.

If I can be of further assistance in this matter, kindly let me know.

Sincerely yours,

FRANK CARLSON.

EXEMPTION FROM ANNUAL AND SICK LEAVE ACT OF CERTAIN OFFICERS IN THE EXECUTIVE BRANCH

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CARLSON. Mr. President, I move that the Senate insist upon its amendment, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Acting President pro tempore appointed Mr. CARLSON, Mr. DUFF, Mr. JENNER, Mr. JOHNSTON of South Carolina, and Mr. NEELY conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Mason Sears, of Massachusetts, to be the Representative of the United States of America on the Trusteeship Council of the United Nations, which was referred to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Adm. Arthur William Radford, United States Navy, for appointment as Chairman

of the Joint Chiefs of Staff in the Department of Defense;

Gen. Matthew Bunker Rldgway, United States Army, for appointment as Chief of Staff, United States Army;

Adm. Arthur William Radford, United States Navy, to have the grade and rank of an admiral while serving as Chairman of the Joint Chiefs of Staff in the Department of Defense;

Gen. Nathan Farragut Twining 10A (major general, Regular Air Force), United States Air Force, for appointment as Chief of Staff, United States Air Force, with the rank of general; and

Adm. Robert Bostwick Carney, United States Navy, to be Chief of Naval Operations in the Department of the Navy.

The ACTING PRESIDENT pro tempore. If there are no further reports of committees, the clerk will proceed to state the nominations on the calendar.

UNITED STATES MARSHAL

Mr. KNOWLAND. Mr. President, I now ask that the Senate proceed to the consideration of the nomination of United States marshal for the eastern district of Washington.

The ACTING PRESIDENT pro tempore. The nomination will be stated.

The legislative clerk read the nomination of Darrell O. Holmes to be United States marshal for the eastern district of Washington.

Mr. JACKSON. Mr. President—

Mr. KNOWLAND. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, this nomination was passed over at a previous session of the Senate at the request of my colleague, the senior Senator from Washington [Mr. MAGNUSON]. At that time he pointed out that there was some question about obtaining an appointment for Mr. Wayne Bezona, the marshal who is still holding that position, in order that he might continue in the Government service until February 28, 1954, when he will have served his full 20 years.

This morning I was advised by Mr. William Rogers, Assistant Attorney General, that an arrangement has been worked out with the present marshal, Mr. Wayne Bezona, whereby he may be made an investigator for the Immigration and Naturalization Service, with classification GS-9, I believe, until February 28, 1954, by which time he will have served his full 20 years and will be able to obtain his retirement benefits.

I should like to say that my colleague, the senior Senator from Washington [Mr. MAGNUSON], and I are both very appreciative of the courteous way in which the Attorney General has handled this matter and has made what appears to be a satisfactory arrangement with Mr. Wayne Bezona, the present marshal.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

UNITED STATES TARIFF COMMISSION

The legislative clerk read the nomination of Joseph E. Talbot, of Connecticut

Oveta Hobby, made a statement to the effect that more of our welfare work should be done by the people themselves at the local level of government. She stated: "A tax dollar that goes to Washington never comes back intact."

In this connection, the Pittsburgh Press of yesterday commented favorably on the statement of Mrs. Hobby, and I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the editorial printed by the Pittsburgh Press entitled "Hometown Welfare?"

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOMETOWN WELFARE?

The interesting suggestion that welfare programs might cost less if they were financed locally is raised by Mrs. Oveta Hobby, the new Cabinet member who administers welfare activities.

Our welfare programs do cost a good deal, even though they are not as elaborate as those in some other countries where everyone is entitled to free medical care and where governments encourage overpopulation by monthly allowances for each child in a family.

But government programs have a tendency to grow and to cost more and more as the years go by.

In these times of full employment the people in the individual States and cities might well ask themselves whether they wouldn't be better off—financially as well as morally—to handle and pay for their welfare programs themselves and look to the Federal Government only in cases of grave emergency.

Despite the pleasant self-deception involved in accepting handouts from Washington, the taxpayers must pay for them anyway, and, as Mrs. Hobby so succinctly puts it, "a tax dollar that goes to Washington never comes back intact."

THE OUTER CONTINENTAL SHELF AND ITS DEVELOPMENT

Mr. HENDRICKSON. Mr. President, the distinguished Committee on Interior and Insular Affairs has been conducting hearings on Senate bill 1901, dealing with the outer Continental Shelf and its development.

Because I have pending before the committee amendments pertaining to this subject and to the revenues to be derived, the senior Senator from Oregon [Mr. CORDON], who is an outstanding authority on this subject, courteously invited me to submit a statement on this vital matter.

I fear that we have heard too little concerning the disposition of this great area, seaward of the States' historic boundaries, wherein is located the great bulk of our offshore oil resources.

Mr. President, I ask for unanimous consent that my statement, in the form of a letter to the senior Senator from Oregon be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 26, 1953.

Hon. GUY CORDON,
Senate Committee on Interior and Insular Affairs, Senate Office Building,
Washington, D. C.

MY DEAR GUY: I want to tell you how very much I appreciate your kind suggestion

that I submit a statement to your distinguished Committee on Interior and Insular Affairs relative to pending legislation dealing with development of the outer Continental Shelf. Perhaps you would offer this letter outlining my views for the record being built by your committee.

You will recall that my amendments, submitted to the committee some time ago, dealt with this very problem of the outer shelf. I recollect, with appreciation, your own kind remarks on the floor of the Senate wherein you pointed out that the essentials of my amendments, and Senator ANDERSON'S amendments as they pertained to the outer shelf, were the basis for Senate bill 1901, now pending before the committee.

As the Senator knows, I do not believe that big government—a big Federal Government—should come along after 160 years of legal lethargy and tell any State that it does not own its own property. For that reason, I supported Senate Joint Resolution 13, vesting State title to the submerged lands within the historic boundaries of those States.

However, when Senate Joint Resolution 13 merely confirmed jurisdiction and control of the United States over the natural resources of the Continental Shelf seaward of State boundaries, it seemed to me that the resolution did not go far enough.

My amendments, you will recall, do two things: First, they give to the Federal Government exclusive development rights in this outer-shelf area beyond historic State boundaries.

I emphasize my belief that Federal law should pertain in this area. In my view, there are no valid State claims there, and that to extend State jurisdiction—be it through State conservation laws or taxation prerogatives or other forms of State control—is an inconsistent and unworkable approach. If the outer shelf is to be confirmed for the Federal Government, it should be without attendant strings attached.

I saw no reason why the Federal Government should participate in the development of those offshore lands within historic State boundaries. I see no reason why the coastal States should have any jurisdiction within the federally controlled areas seaward of these boundaries.

My amendments would also disburse the revenues derived from the resources lying to the edge of the shelf, for educational purposes.

The aid-to-education proposal which I have suggested to the Committee on Interior and Insular Affairs varies from that offered in the past by my distinguished colleague from Alabama, Mr. HILL.

In my opinion, this step would both solve the controversial question of Federal aid to education, and also would bestow the fruits from an area of Federal resources upon the needy school systems of all our States and Territories. In the case of the amendments which I have proposed, the funds derived from the rich seabeds of the Continental Shelf are clearly Federal funds, unclouded by the proposition that it is State resources which we would be asked to disburse to the Nation as a whole.

My amendments go a step further by spelling out a simple formula for disbursement of these funds to primary, secondary, and higher educational facilities within the States. Under this simplified formula, the old bugaboo of Federal aid to education will not sully the purpose of assisting our sorely pressed school systems. My proposal would transfer the funds derived from these resources to the school systems on the basis of school population alone.

There is no issue of Federal control and dictation herein involved. There is no rigid formula of aid to education whereby the Government in Washington lays down the law in a province traditionally reserved to

the States, and forces school systems to line up their budgets and their State constitutions as well in order to qualify for assistance.

In my own State of New Jersey, all moneys arising from the sale of riparian rights are dedicated to the school fund of the State and cannot be used for any other purpose. My suggestions represent what I deem to be a practical and sensible approach to the disbursement of Federal funds derived from our natural resources. Those funds would go where they would do a great good for a growing and deep-seated problem of our times, without stirring up the rancors consistent with heavy handed Federal control.

Estimates to date indicate that from 70 to 90 percent of offshore wealth are located in that area of the Continental Shelf which appertains along its seabed to the Federal Government.

I realize that claims are being made for State participation in this outer Shelf region. I must oppose these claims.

Again, I am most grateful for your consideration and kindness in soliciting my views for your record. Naturally, I hope that they will be incorporated in the measure reported to the Senate.

With kindest personal regards, I am,

Sincerely yours,

ROBERT C. HENDRICKSON.

DIPLOMATIC REPRESENTATION IN CAPITALS OF UKRAINE AND BYELORUSSIA—LETTER OF UKRAINIAN CONGRESS COMMITTEE OF AMERICA, BISMARCK, N. DAK.

Mr. LANGER. Mr. President, I am in receipt of a letter from the North Dakota State Branch of Ukrainian Congress Committee of America, Bismarck, N. Dak., signed by Dr. Anthony Zukowsky, president, concerning the establishment of American diplomatic representation in the capitals of Ukraine and Byelorussia. I ask unanimous consent that the letter be printed in the body of the RECORD, including the names of the officers of the committee, a group of outstanding and distinguished citizens of our country.

There being no objection, the letter, including the names of the officers, was ordered to be printed in the RECORD, as follows:

UKRAINIAN CONGRESS
COMMITTEE OF AMERICA, INC.,
STATE BRANCH OF NORTH DAKOTA,
Bismarck, N. Dak., April 27, 1953.

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR LANGER: The North Dakota State Branch of Ukrainian Congress Committee of America is vitally interested in the adoption of House Concurrent Resolution No. 58 concerning the establishment of American diplomatic representation in the capitals of Ukraine and Byelorussia.

We believe this would be an excellent move on the part of the United States in its psychological strategy because it would (1) cause concern in the Kremlin over America's interest in these two vital areas of the Soviet Union; (2) enhance the meaning of our counter-Soviet propaganda; (3) expose the Soviet's fraudulent claims of the independence of the republics; (4) tighten the bonds of alliance which the Ukrainians and Byelorussians naturally feel with America and the West; (5) cause embarrassment to the puppet delegations now falsely representing the Ukrainian and Byelorussian people in the United Nations; (6) be a valid test

authority, with the approval of the Secretary of the Treasury, to vary the rates below the maximum as well as up to maximum; and (4) extends for 1 year the direct home loan program with an additional \$100 million authorization to be made available at the maximum rate of \$25 million per calendar quarter.

HOUSE

11. EXTENSION SERVICE. Passed without amendment S. 1679, to consolidate Extension Service authorizations (pp. 6727-29). This bill will now be sent to the President.
12. FOREIGN TRADE. Passed, by 363-35, without amendment H.R. 5495, to extend the President's authority to enter into reciprocal trade agreements (pp. 6731-74). (For summary see Digest 107.) The debate included discussions on the relationship of foreign trade to agriculture.
13. FOREIGN AID. The Foreign Affairs Committee ordered reported (but did not actually report) H.R. 5710, the Mutual Security Act of 1953 (p. D556). The Committee was given permission until midnight to file its report on this bill (p. 6731).
14. PERSONNEL. The "Daily Digest" states that the "conferees, in executive session, reached agreement on... H.R. 4654, providing for exemption from Annual and Sick Leave Act of 1951 of certain officers. Major agreements of the conferees are as follows:
 - "1. Top Government positions of Cabinet rank, and such others as the President may designate (with the exception of postmasters, U.S. attorneys, and marshals), would be removed from the Annual and Sick Leave Act of 1951; this will not affect leave accrued by such personnel prior to enactment of this proposed legislation; and
 - "2. The so-called Thomas leave rider would be repealed as of June 30, 1953, and the Annual and Sick Leave Act of 1951 would be amended so as to limit future total accruable leave and total lump-sum cash payment to 30 days."
15. APPROPRIATIONS. The Rules Committee reported a resolution for consideration of H.R. 5690, second independent offices appropriation bill for 1954 (p. 6779). The bill includes funds for the Tennessee Valley Authority, Veterans' Administration, and Selective Service System.

Received from the President supplemental appropriation estimates for the executive branch for 1954; to Appropriations Committee (H. Doc. 176) (p. 6779). This document includes the estimate of \$350,000 for defense production activities of this Department.
16. RECLAMATION. The Interior and Insular Affairs Committee reported without amendment H.R. 1991, relating to certain construction-cost adjustments at the Greenfields division of the Sun River irrigation project, Mont. (H. Rept. 554) (p. 6779).
17. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendment H.R. 3792, to authorize the ICC to revoke, etc., water carrier certificates and permits under certain conditions (H. Rept. 557) (p. 6779).
18. WAR POWERS. The Judiciary Committee reported without amendment H.R. 2557, to continue title 2 of the First War Powers Act (contract authority of the President) through June 30, 1954 (H. Rept. 558) (p. 6779).

19. PUBLIC LANDS. Passed without amendment H.R. 1308, to amend the Color of Title Act (p. 6729).
20. LOBBYING. Received the compilation of all registrations and quarterly reports for the second quarter of 1953 filed by persons engaged in lobbying activities (pp. 6782-816).
21. LAND TRANSFER; RESEARCH. Both Houses received from this Department proposed legislation to authorize the Secretary to convey to N. C. a tract of approximately 134 acres, together with buildings and improvements thereon, which BPISAE has been using as cotton field station; to House Agriculture Committee and Senate Agriculture and Forestry Committee (pp. 6779, 6658).

BILLS APPROVED BY THE PRESIDENT

22. PERSONNEL. S. 1870, to extend the time of the Committee on Retirement Policy for Federal Personnel for its report to Congress from Dec. 31, 1953, to June 30, 1954. Public Law 54, 83rd Cong., approved June 6, 1953.
23. FLOOD CONTROL. S. 261, approves the Connecticut River Flood Control Compact. Public Law 52, 83rd Cong., approved June 6, 1953.
24. APPROPRIATIONS. H.R. 4664, 3rd supplemental appropriation bill, 1953. Public Law 59, 83rd Cong., approved June 15, 1953. For items included in this Act for USDA see Digest 106.

ITEMS IN APPENDIX

25. LIVESTOCK. Rep. Miller inserted Secretary Benson's speech before the Nebraska Stock Growers' Ass'n. discussing some of the problems of the livestock industry and the Department's program to alleviate the "cost-price squeeze which has been hurting agriculture" (pp. A3605-7).
26. POSTAL RATES. Extension of remarks of Rep. Hagen opposing the proposed increase in postal rates and inserting his press statement on this subject (p. A3619).
27. TVA. Sen. Kefauver inserted a Tenn. Railroad and Public Utilities Commission letter opposing proposed reduction in TVA appropriations (p. A3630).
Extension of remarks of Rep. Frazier stating that many of the "original TVA objectives as defined by Congress have been substantially achieved" and opposing proposed appropriation reductions (pp. A3669-70).
28. BUTTER. Sen. Thyne inserted a Washington Post editorial, "Europe Farm Editors Miss Their Butter," outlining visits of 16 European farm editors to see how American farmers make use of news and information disseminated by farm publications (p. A3638).
29. WEED CONTROL. Sen. Mundt inserted a Farm Journal article describing the weed control program in S. Dak. (p. A3641).
30. GOVERNMENT ECONOMY. Sen. Martin inserted his recent speech outlining programs for an expanding economy and stating that the "new administration is putting all its effort into the job of getting the Nation back on a sound financial footing" (pp. A3645-6).

Mich.; Brian Mead, secretary-treasurer and director, Marlin Rockwell, Corp., Jamestown, N. Y.; R. W. Wortham, Jr., executive vice president, the Southland Paper Mills, Inc., Lufkin, Tex., accompanied by K. W. Cooke, controller; Lee A. Potter, Jr., president, Young Presidents' Organization, Inc., New York City; T. H. Mastin, Jr., treasurer, La Favorite Rubber Manufacturing Co., Paterson, N. J.; R. W. Bolesky, secretary-treasurer, Therm Disc., Inc., Mansfield, Ohio; R. F. Lotz, comptroller, Virginia Smelting Co., West Norfolk, Va.; Harry E. Sprogell, secretary, Perfect Foods, Lansdale, Pa.; Franklin T. Sweet Di-noc Co., Cleveland, Ohio; Garrett Logan, attorney, representing Franks Manufacturing Corp., Tulsa, Okla.; E. J. Putzell, Jr., secretary, Monsanto Chemical Co., St. Louis, Mo.; Edmond D. Hollander, national director, Americans for Democratic Action; and M. C. Jones, president, M. C. Jones Electronic Co., Bristol, Conn.

Statements, in lieu of appearances, were submitted for the record on behalf of Radio Television Manufacturers Association, and Charles L. Rumrill & Co., Inc., of Rochester, N. Y.

The concluding witnesses on Saturday were Merle R. Yontz, president, Le Tourneau Westinghouse of Peoria, Ill., accompanied by Warren Wemple, vice president and controller; Thomas E. Betner, Plastomatic Corp., Malvern, Pa.; Eugene Jalbert, treasurer, Judson Dunaway Corp., Dover, N. H.; W. A. Thompson, Sr., Toolcraft Products, Inc., Dayton, Ohio; and A. Vander Meulen, vice president, United Specialties Co., Chicago, Ill.

CUSTOMS SIMPLIFICATION

Committee on Ways and Means: Held executive discussions last Friday morning on H. R. 5106, regarding the simplification of customs procedures. Took no action and recessed subject to call of the Chair.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 16

(All meetings are open unless otherwise designated)

Senate

Committee on Appropriations, subcommittee, executive, on Defense Department appropriations, 9:30 a. m., room F-39, Capitol; subcommittee, executive, to mark up H. R. 5376, Army civil functions, 10 a. m., room F-82, Capitol; full committee, open, to hear Ambassador to Austria Thompson on funds for occupied area in Austria, 10 a. m., room F-37, Capitol.

Committee on Banking and Currency, on housing legislation, 10 a. m., 301 Senate Office Building.

Committee on Foreign Relations, executive, on S. 589, St. Lawrence seaway, 10 a. m., room F-53, Capitol.

Committee on Interior and Insular Affairs, Irrigation and Reclamation Subcommittee, on S. 964, Fryingpan-Arkansas project, 10 a. m., 224 Senate Office Building.

Joint Committee Meetings

ATOMIC POWER IN INDUSTRY

Joint Committee on Atomic Energy: Committee, in executive session, continued its current series of discussions with members of industry relating to problems of industrial atomic power development. Witnesses present today were Adm. Earle W. Mills, president, Foster Wheeler Corp.; Fred C. Kellogg, president, and James J. Cuniffe, reactor project coordinator, both of Pioneer Service & Engineering Co. Committee will continue these discussions tomorrow.

On Friday, June 12, the committee held a similar meeting with the following representatives of industry: Dr. Charles Allen Thomas, president, Monsanto Chemical Co.; J. Wesley McAfee, president, Union Electric Co., of Missouri; Dr. Philip Powers, executive administrator, Atomic Electric Project; and Edwin J. Putzell, Jr., secretary of Monsanto Chemical Co.

ANNUAL AND SICK LEAVE

Conferees, in executive session, reached agreement on the differences between the House- and Senate-passed versions of H. R. 4654, providing for exemption from Annual and Sick Leave Act of 1951 of certain executive officers. Major agreements of the conferees are as follows:

(1) Top Government positions of Cabinet rank, and such others as the President may designate (with the exception of postmasters, U. S. attorneys, and marshals), would be removed from the Annual and Sick Leave Act of 1951; this will not affect leave accrued by such personnel prior to enactment of this proposed legislation; and

(2) The so-called Thomas leave rider would be repealed as of June 30, 1953, and the Annual and Sick Leave Act of 1951 would be amended so as to limit future total accruable leave and total lump-sum cash payment to 30 days.

Committee on Interstate and Foreign Commerce, subcommittee, on maritime subsidy legislation, 10 a. m., room G-16, Capitol.

Committee on the Judiciary, Internal Security Subcommittee, on Communist infiltration in Government, 11 a. m., 318 Senate Office Building.

Committee on Post Office and Civil Service, on S. 427, to provide for uniforms for Federal employees, 10:30 a. m., 135 Senate Office Building.

House

Committee on Agriculture, on H. R. 5659, and similar bills, to provide for the transfer of price-support wheat to Pakistan, 10 a. m., 1310 New House Office Building.

Committee on Armed Services, to receive subcommittee report on H. R. 5425, synthetic rubber bill, followed by Subcommittee No. 3 on Reserve training program, 10 a. m., 313-A Old House Office Building.

Committee on Banking and Currency, to begin hearings on H. R. 5667, to amend provisions of the National Housing Act

pending before the committee. Members appearing, and their bills, were as follows—Representatives Hale, on H. R. 5055, to amend Food and Drug Act; Herlong, on H. R. 3841, to amend Food and Drug Act; Clardy, on H. R. 3977, to amend the Communications Act; Miller of Nebraska, on H. R. 4277 and 4901, to amend the Food and Drug Act, and H. R. 5422, re the care and treatment of narcotic addicts; Rogers of Colorado, on H. R. 4553, to amend the Railway Labor Act; St. George, on H. R. 5016, to amend Food and Drug Act; McCormack, on H. R. 5023, to amend the Communications Act; Reams, on H. R. 5064, return of property under Trading With the Enemy Act; Hyde, on H. R. 5043, national physical science laboratories; Ikard, on H. R. 5360, extra pay for former prisoners of war; Broyhill, on H. R. 5473, sale of land for Burke Airport, Va.; and Baker, on H. R. 5631, to amend the Railroad Retirement Act.

Statements were inserted for the record by Representatives Heller, on H. R. 4456, to provide adequate ambulance service; Lane, on H. Con. Res. 92, re the role of women in aviation; and Bosch, on H. R. 4926, amending the Trading With the Enemy Act.

JUSTICE DEPARTMENT

Committee on the Judiciary: The Keating subcommittee which has been investigating the Department of Justice's handling of alleged tax-scandal cases today voted to invite Supreme Court Justice Clark to testify in connection with some of the cases in which his name has been mentioned. Last Friday the group recalled T. Lamar Caudle, a former Assistant Attorney General, to testify regarding the settlement of a 1948 case involving Dr. Olaf Olson, of Minneapolis, Minn. It was brought out that the doctor paid a \$10,000 fine in a criminal tax fraud case, but settled a civil claim for \$118,000 in extra taxes and interest for \$35,000. The cross-examination pointed out that intervention in the case was brought on behalf of Olson by Senator Langer, of North Dakota.

The subcommittee started questioning Irvin Goldstein today, a former special assistant to the Attorney General, who was assigned to the U. S. attorney's office in San Francisco regarding tax cases there. Recessed until tomorrow afternoon on this matter.

IMMIGRATION

Committee on the Judiciary: Subcommittee No. 1 approved for reporting to the full committee 23 private immigration bills (22 of the House and 1 of the Senate). Also approved S. Con. Res. 26 and 33, both amended, favoring suspension of deportation proceedings of certain aliens; and H. Con. Res. 110, relating to adjustment of status of displaced persons residing in the United States. Three private immigration bills were reported on adversely.

ST. LAWRENCE SEAWAY

Committee on Public Works: Opposition to proposed Government participation in the St. Lawrence-Great Lakes seaway project was furnished today as the committee began its third day of hearings on the proposed legislation (H. J. Res. 104). Gregory B. Prince, general solicitor, Association of American Railroads, testified in both morning and afternoon sessions.

At last Friday's session, proponent testimony was furnished by the following—Harry C. Brockel, director, port of Milwaukee, Wis.; William E. Fowler, traffic manager, Youngstown Sheet & Tube Co., Ohio.; Matthew Triggs, American Farm Bureau Federation; Dr. J. T. Sanders, National Grange; John W. Edelman, Washington representative, Textile Workers of America, for CIO's legislative committee; Byron Frederick, master, Ohio State Grange; Angus MacDonald, National Farmers' Union; Wallace J. Campbell, Cooperative League of the United States; Clyde Ellis, executive manager, National Rural Electric Cooperative Association; George Haberman, Wisconsin Federation of Labor; Frank X. Martell, president, Detroit and Wayne County Council (AFL), Detroit, Mich.; William J. Hull, Ohio Valley Improvement Association; Ray Teagarden, master, Kansas State Grange; Ray Jump, representing the Indiana State Grange; and Oliver A. Reynolds, vice president, Cleveland Chamber of Commerce. Hearings will be continued tomorrow (Tuesday) morning when opponent witnesses are scheduled to testify.

APPROPRIATIONS—SECOND INDEPENDENT OFFICES

Committee on Rules: Granted an open rule providing for 4 hours debate on, and waiving points of order against, H. R. 5690, the second independent offices appropriation bill for 1954. Representatives Phillips, of California, and Thomas of Texas, were heard in support of the rule, and Representative Yates, of Illinois, spoke in connection with the minority report he filed in connection with the bill. Representative Jones of Alabama opposed the waiving of points of order, addressing his remarks to the TVA section of the bill. Committee meets tomorrow morning on a rule for the mutual security program bill (H. R. 5710).

COMMUNISM—ENTERTAINMENT

Committee on Un-American Activities: Met executive and discussed purported infiltration of communism in the field of entertainment and amusement.

EXCESS-PROFITS TAX

Committee on Ways and Means: Concluded public hearings last Saturday morning in connection with its study of the President's recommendation to extend for 6 months the provisions of the Excess Profits Tax Act. The list of witnesses heard Friday is as follows—Representative Clardy, of Michigan; John B. Pool, counsel for Television Broadcasters' Tax Committee, Detroit,

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

June 23, 1953
June 22, 1953
83rd-1st, No. 113

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HIGHLIGHTS: House debated wheat-for-Pakistan bill. House passed legislative-judiciary appropriation bill. Both Houses received conference report on leave bill. Senate rejected conference report on economic controls bill and asked for new conference. Sen. Maybank criticized USDA's cottonseed price support reduction.

SENATE

- 1. ECONOMIC CONTROLS.** Rejected, by 42-47, the conference report on S. 1081, economic controls bill, and requested a new conference with the House, instructing its conferees to strike out title 2 of the bill, to establish a Small Business Administration, and to substitute instead the Small Defense Plants Administration provision, as originally contained in the Senate bill. Sens. Capehart, Bricker, Bennett, Bush, Maybank, Fulbright and Robertson (same conferees as previously) were appointed as conferees (pp. 7150-60, 7171-74).
- 2. PERSONNEL.** Passed H.R. 4126 to continue employee war-risk hazard and detention benefits until July 1, 1954, with an amendment substituting the language of S. 1458 as reported. The Judiciary Committee had previously been discharged from further consideration of H.R. 4126 (pp. 7176-77).
- 3. SUBMERGED LANDS.** Debated S. 1901, to provide for U.S. jurisdiction over the submerged lands on the outer Continental Shelf (pp. 7175, 7178-84).
- 4. COTTONSEED; PRICE SUPPORTS.** Sen. Maybank criticized the Secretary's order reducing the support price on cottonseed to 75% of parity and claimed that this was a forerunner of the same treatment to other farm products (p. 7175).
- 5. CATTLE INDUSTRY.** Sen. Johnson stated that the cattle situation in Texas and the Southwest was "fast becoming desperate" because of the drop in cattle prices and the "most devastating drought the area has ever known", and inserted an Amarillo Globe-Times editorial on this subject (pp. 7184-85).

6. NOMINATION of Mrs. Katherine Howard as Deputy Federal Civil Defense Administrator was confirmed (p. 7207).
7. HOUSING. The Banking and Currency Committee ordered reported (but did not actually report) S. 2103, to amend the National Housing Act, with an amendment in the nature of a substitute (p. D590).
8. FOREIGN TRADE. Received the fifth annual report of the Tariff Commission on the operation of the trade agreements program, from July 1951 to June 1952 (p. 7160).
9. ELECTRIFICATION. Sen. Morse spoke on "The Cadillac Crusade Against Public Power," criticizing the Administration's public power policies, and claiming that private utility operators are out to dominate REA and TVA (pp. 7185-205). He also discussed the Secretary's and the REA Administrator's views on public power (p. 7196).
10. IRRIGATION. Received a California Legislature resolution urging direct loans to the districts of the Central Valley for construction of distribution systems in connection with their irrigation program (p. 7163).

HOUSE

11. FOREIGN AID. Began debate on H. R. 5659, to provide for the transfer of price-support wheat to Pakistan, and began reading the bill for amendment (pp. 7727-36, 7251).

Rep. Rooney stated that he would offer an amendment to H. R. 5659 requiring that at least 50% of the wheat be shipped to Pakistan in U. S. flag vessels (p. 7213). The same language is contained in S. 2112, the Senate companion bill.

12. PERSONNEL; LEAVE. Both Houses received the conference report on H. R. 4654, to amend the Annual and Sick Leave Act of 1951 (H. Rept. 629) (pp. 7165, 7214-7). The following are some of the more important provisions of the bill as reported from conference:

Section 202 of the Annual and Sick Leave Act is amended to provide that this title shall not apply to the following officers in the executive branch, including officers of corporations wholly owned or controlled by the U. S.: Persons appointed by the President and confirmed by the Senate, or by the President alone, whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949; persons receiving compensation in accordance with section 411 of the Foreign Service Act of 1946; and such other officers (except postmasters, U. S. attorneys, and U. S. marshals) as may be designated by the President.

The accumulated and current accrued annual leave to which any exempted officer is entitled immediately prior to the enactment hereof shall be liquidated by a lump-sum payment. An exempted officer again coming under the Leave Act shall be credited with the unused annual and sick leave standing to his credit at the time he was exempted.

Section 203 (c) is amended to provide that the annual leave provided for in this section, which is not used, shall accumulate for use in succeeding years until it totals 30 days at the beginning of the first complete biweekly pay period.

Section 208 (a) is amended to provide that the accumulated annual leave to the credit of an employee immediately following the end of the last complete biweekly pay period in the calendar year 1952, or the amount in excess

of 30 days (up to 90 days in some cases) shall remain to the employee's credit until used, but the use during any leave year of an amount in excess of this aggregate amount shall reduce the maximum allowable accumulation until such accumulation no longer exceeds 30 days.

Section 205 is amended to require the heads of departments and agencies to take such action as may be necessary to bring about reductions in the accumulated annual leave which is in excess of 30 days within a reasonable period of years.

Repeals the "Thomas leave rider" effective as of June 29, 1953.

13. APPROPRIATIONS. Passed with amendments H. R. 5805, the legislative-judiciary appropriation bill for 1954 (pp. 7217-27).
14. VETERANS' BENEFITS. Rep. Rogers inserted a Veterans' Administration statement discussing the results of 9 years of the GI bill of rights, including farm loans (p. 7212).
15. SMALL BUSINESS. Rep. Patman spoke against the Small Business Administration section of S. 1081, the economic controls bill, and urged that it be dropped from the conference report, as recommended by the Senate (pp. 7253-54).
16. TRANSPORTATION. Passed with amendments H.R. 2236, to establish a commission to study the transportation problems of the greater Washington area (pp. 7232-36, 7251).

ITEMS IN APPENDIX

17. TRANSPORTATION. Rep. Wolverton inserted the letters and a listing of agricultural and other organizations, favoring H. R. 3203, the trip-leasing bill, as reported from the committee. (pp. A3847-9, A3851, A3855, A3856-7, A3859-60, A3870-2, A3875-6, A3885-6, A3887-8, A3891-3).
18. VEHICLE. Rep. Clardy inserted his letter to BAI criticizing the payment of rental storage on a car which apparently has not been used for quite some time as "the tires are flat and the vehicle is covered with a heavy coating of dust and dirt" (p. A3851).
19. BUDGETING. Sen. Byrd inserted a N. J. Taxpayers Ass'n statement favoring a "joint budget committee, a single package annual appropriation bill, and strengthened fiscal controls" (p. A3866).
20. ANIMAL DISEASE. Sen. Tobey inserted correspondence between himself and the Department concerning Bang's disease, pointing out "the need for effective research to eliminate this disease," and criticizing BAI for failing to send a representative to the Lincoln Foundation to discuss developing a test program to determine the value of certain antibiotics developed by the foundation. (pp. A3865-6).
21. DAIRY INDUSTRY. Extension of remarks of Rep. Doyle discussing the advancement of the dairy industry in Calif. and inserting 2 California-Dairyman articles on this subject (pp. A3879-80).
Extension of remarks of Rep. Laird discussing a Wis. Dept. of Agriculture report showing the per capita consumption of butter by the Wis. dairy farmers (p. A3882).
Rep. Laird inserted a Marshfield (Wis.) News-Herald editorial "which sets forth the vulnerable position of the American farmer today" (p. A3883).
22. GRAZING LANDS. Rep. Petcalf inserted Gordon McGowan's (Nat'l Association of

Soil Conservation Districts) statement outlining some of the reasons for opposition to H. R. 4023, the stockmen's grazing bill (pp. A3880-1).

23. HAWAII STATEHOOD. Del. Farrington inserted a Honolulu Star-Bulletin editorial favoring statehood for Hawaii (p. A3886).
24. PURCHASING. Rep. Smith inserted excerpts from two speeches favoring repeal of the Buy American Act (p. A3854).
25. TREATIES. Sens. Lehman and Wiley, and Rep. Smith inserted several articles opposing the so-called Bricker proposal to amend the Constitution to curtail the treaty-making power of the President (pp. A3861-2, A3867, A3884).

BILLS INTRODUCED

26. EDUCATION. S.J. Res. 91, by Sen. Ferguson, authorizing the recognition of the 100 anniversary of the founding of Michigan State College, the first agricultural college in the U. S., and providing for the representation of the Government and people of the U. S. in the observance of such anniversary; to Judiciary Committee (p. 7165). Remarks of author (pp. 7165-6).
27. FLOOD CONTROL. H.R. 5876, by Rep. Hagen, to provide for the construction of flood-control and hydroelectric dams on the Red Lake River, Minn.; Public Works Committee (p. 7255).
28. TARIFFS. H.R. 5877, by Rep. Jenkins, to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; to Ways and Means Committee (p. 7255).
29. TAXATION. H.R. 5880, by Rep. Sikes, relating to the tax treatment to be afforded under section 117 (j) (3) of the Internal Revenue Code in certain cases involving the sale, exchange, or conversion of land with unharvested crops thereon; to Ways and Means Committee (p. 7255).

BILL APPROVED BY THE PRESIDENT

30. APPROPRIATIONS. H.R. 5174, The Treasury-Post Office Appropriation Act, 1954 (see Digest 111) is Public Law 73, 83rd Congress.

COMMITTEE HEARINGS RELEASED BY G.P.O.

31. APPROPRIATIONS. Interior Department Appropriations for 1954, H.R. 4828, Parts 1 and 2. S. Appropriations Committee.

Legislative-Judiciary Appropriations for 1954, H.R. 5805, H. Appropriations Committee.

32. EXTENSION SERVICE, consolidation of authorizations, H.R. 4677, 4720, 4789, and 4817. H. Agriculture Committee.

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COMMITTEE HEARING ANNOUNCEMENT FOR JULIE 23: CCC pea sales, H. Agriculture.

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For supplemental information and copies of legislative material referred to, call Ext. 4654 or send to Room 105A.

EXEMPTING CERTAIN GOVERNMENT OFFICIALS FROM THE ANNUAL AND SICK LEAVE ACT OF 1951

JUNE 22, 1953.—Ordered to be printed

Mr. REES of Kansas, from the committee of conference, submitted
the following

CONFERENCE REPORT

[To accompany H. R. 4654]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That section 202 of the Annual and Sick Leave Act of 1951 is amended by adding a subsection (c) as follows:

“(c) (1) This title shall not apply to the following officers in the executive branch of the Government and officers of the government of the District of Columbia, including officers of corporations wholly owned or controlled by the United States:

“(A) persons appointed by the President by and with the advice and consent of the Senate, or by the President alone, whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended;

“(B) persons who receive compensation in accordance with section 411 of the Foreign Service Act of 1946; and

“(C) such other officers (except postmasters, United States attorneys, and United States marshals) as may be designated by the President.

2 EXEMPT CERTAIN OFFICIALS FROM ANNUAL LEAVE ACT OF 1951

No officer in the executive branch of the Government and no officer of the government of the District of Columbia, including an officer of a corporation wholly owned or controlled by the United States, to whom this title applies shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer.

"(2) The President, in his discretion, may authorize leaves of absence to persons who are exempted from this title pursuant to subsection (c) (1) (B) for use in the United States and its Territories and possessions. Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment."

SEC. 2. (a) The accumulated and current accrued annual leave to which any officer exempted from the Annual and Sick Leave Act of 1951 as a result of the enactment of this Act is entitled immediately prior to the date this Act becomes applicable to him shall be liquidated by a lump-sum payment in accordance with the Act of December 21, 1944 (5 U. S. C. 61b-61e) or the Act of August 3, 1950 (5 U. S. C. 61f-61k), except that payment under either such Act (1) shall be based upon the rate of compensation which he was receiving immediately prior to the date on which this Act became applicable to him, and (2) shall be made without regard to the limitations imposed by the amendments made by sections 4 and 5 of this Act with respect to the amounts of leave compensable under such Acts.

(b) In the event any such exempted officer, without any break in the continuity of his service, again becomes subject to the Annual and Sick Leave Act of 1951 upon the completion of his service as an exempted officer, the unused annual and sick leave standing to his credit at the time he was exempted from the Annual and Sick Leave Act of 1951 shall be deemed to have remained to his credit.

SEC. 3. (a) Section 203 (c) of the Annual and Sick Leave Act of 1951 is amended to read as follows:

"(c) The annual leave provided for in this section, which is not used by an officer or employee, shall accumulate for use in succeeding years until it totals not to exceed thirty days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, occurring in any year."

(b) So much of section 203 (d) of the Annual and Sick Leave Act of 1951 as precedes paragraph (1) thereof is amended to read as follows:

"(d) Notwithstanding the provisions of subsection (c), a maximum accumulation not to exceed forty-five days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in any year is authorized to the following categories of employees of the Federal Government, other than officers and employees in the Foreign Service of the United States under the Department of State, stationed outside the several States and the District of Columbia:"

(c) Section 208 (a) of the Annual and Sick Leave Act of 1951 is amended to read as follows:

"SEC. 208. (a) In any case in which—

"(1) the amount of accumulated annual leave to the credit of an officer or employee immediately following the end of the last complete biweekly pay period in the calendar year 1952, or corresponding period in the case of an officer or employee who is not paid on the

basis of biweekly pay periods, under the provisions of law then applicable to such officer or employee is in excess of the amount allowable under the applicable provisions of section 203, or

“(2) the amount of accumulated annual leave to the credit of an officer or employee who is subject to the provisions of section 203 (d) and who becomes subject to the provisions of section 203 (c) is in excess of the amount allowable under section 203 (c), such excess shall remain to the credit of such officer or employee until used, but the use during any leave year of an amount in excess of the aggregate amount which shall have accrued during such year shall automatically reduce the maximum allowable accumulation at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in the following leave year, until the accumulation of such officer or employee no longer exceeds the amount prescribed in the applicable provisions of section 203.”

SEC. 4. (a) The second and third sentences of the first section of the Act of December 21, 1944, are amended to read as follows: “Such lump-sum payment shall equal the compensation that such officer or employee would have received had he remained in the service until the expiration of the period of such annual or vacation leave, except that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of thirty days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater. If such officer or employee is reemployed (other than in a position exempted from the Annual and Sick Leave Act of 1951 under section 202 (b) (1) (B), (C), or (H) of such Act) in the Federal service or in or under the government of the District of Columbia prior to the expiration of the period covered by such leave payment, he shall refund to the employing agency an amount equal to the compensation covering the period between the date of reemployment and the expiration of such leave period. The leave represented by any such refund—

“(1) in the case of an officer or employee reemployed under the same leave system, shall be recredited to him in the employing agency in an amount equal to the amount represented by the refund;

“(2) in the case of an officer or employee reemployed under a different leave system, shall be recredited to him in the employing agency on an adjusted basis in accordance with regulations to be prescribed by the Civil Service Commission; and

“(3) in the case of an officer or employee reemployed in an office or position exempted from the Annual and Sick Leave Act of 1951 under section 202 (c) (1) of such Act, shall be deemed, upon separation from service, death, or transfer to another office or position in the Government service, to have remained to the credit of such officer or employee.

Any amounts so refunded shall be deposited in the Treasury to the credit of the employing agency. The lump-sum payment herein authorized shall not be regarded, except for purposes of taxation, as salary or compensation and shall not be subject to retirement deductions.”

(b) Section 205 of the Annual and Sick Leave Act of 1951 is amended by adding at the end thereof a new subsection to read as follows:

“(e) In the case of transfer of an officer or employee between positions under different leave systems (other than transfers involving positions

exempted under section 202 (b) (1) (B), (C), or (H)), without a break in service, the annual and sick leave to the credit of such officer or employee shall be transferred to his credit in the employing agency on an adjusted basis in accordance with regulations to be prescribed by the Civil Service Commission."

SEC. 5. Clause (6) of section 2 of the Act of August 3, 1950, is amended to read as follows: "(6) payment for all accumulated and current accrued annual or vacation leave equal to the compensation the decedent would have received had he remained in service until the expiration of the period of such annual or vacation leave, except that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of thirty days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater;"

SEC. 6. The heads of the departments and agencies are authorized and directed to take such action as may be necessary to bring about reductions in the accumulated annual leave to the credit of officers and employees which is in excess of the amounts allowable under the applicable provisions of section 203 of the Annual and Sick Leave Act of 1951, as amended by this Act, within a reasonable period of years, consistent with the exigencies of the public business, and to make such reports with respect to the action taken as may be requested by the Civil Service Commission. The Civil Service Commission shall include in its annual report to the Congress a statement of the progress made in carrying out the purposes of this section.

SEC. 7. (a) Section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, Eighty-second Congress), is repealed, effective as of June 29, 1953.

(b) Sections 3 and 4 of the Act of December 21, 1944, are hereby repealed.

SEC. 8. The first section and section 2 of this Act shall take effect on the first day of the first pay period which begins after the date of enactment of this Act.

And the Senate agree to the same.

EDWARD H. REES,
ROBERT J. CORBETT,
KATHARINE ST. GEORGE,
TOM MURRAY,
JAMES C. DAVIS,
Managers on the Part of the House.
FRANK CARLSON,
JAMES H. DUFF,
WILLIAM E. JENNER,
OLIN D. JOHNSTON,
MATTHEW M. NEELY,
Managers on the Part of the Senate;

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same. The House bill, the Senate amendment, and the conference substitute are discussed below.

The first section of the House bill (1) exempts in all respects from the Annual and Sick Leave Act of 1951 those officers and employees in the executive branch of the Government (not including personnel of the Foreign Service of the United States) who are appointed either by the President alone, or by the President by and with the advice and consent of the Senate, and whose annual rates of basic compensation exceed the maximum annual rate contained in the General Schedule of the Classification Act of 1949, as amended, such maximum rate now being \$14,800, and (2) exempts from the Annual and Sick Leave Act of 1951, except with respect to section 203 (f) thereof relating to home leave, chiefs of mission in the Foreign Service of the United States who receive compensation at one of the annual salary rates authorized in section 411 of the Foreign Service Act of 1946, such rates now being \$25,000, \$20,000, \$17,500, and \$15,000.

In conformity with the definition of the term "chief of mission" contained in section 121 (9) of the Foreign Service Act of 1946, the chiefs of mission so exempted by the House bill are those principal officers appointed by the President, by and with the advice and consent of the Senate, to be in charge of an embassy, legation, or other diplomatic mission of the United States and those officers assigned by the President under authority of section 501 (b) of such act to serve as minister resident, chargé d'affaires, commissioner, or diplomatic agent for such period as the public interest may require, who are receiving compensation at one of the above-mentioned rates prescribed under section 411 of such act for the four classes of positions occupied by chiefs of mission. This exemption does not include Foreign Service officers authorized to act as chargés d'affaires ad interim.

By continuing to make section 203 (f) of the Annual and Sick Leave Act of 1951 applicable to chiefs of mission in the Foreign Service, the first section of the House bill preserves for such chiefs of mission the special leave of absence—known as "home leave"—which is now authorized by section 203 (f) for officers and employees

in the Foreign Service for use in the United States, its Territories and possessions. Section 203 (f) permits accumulation of such home leave without limitation but prohibits making any unused home leave the basis for any terminal leave or lump-sum payment.

The first section of the House bill also authorizes the President in his discretion to provide for leaves of absence with pay for any officers and employees (including chiefs of mission in the Foreign Service) who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill. It is provided (1) that such leaves of absence shall not constitute a leave system, (2) that any such leave of absence remaining unused shall not be made the basis for any lump-sum payment, and (3) that the authority of the President to grant such leaves of absence shall not affect the home leave which may be granted to chiefs of mission in the Foreign Service under section 203 (f) of the Annual and Sick Leave Act of 1951.

The first section of the Senate amendment exempts the following personnel of the executive branch from all provisions of the Annual and Sick Leave Act of 1951:

First, persons appointed either by the President by and with the advice and consent of the Senate, or by the President alone, whose annual rates of basic compensation exceed the maximum annual rate (at present \$14,800) contained in the General Schedule of the Classification Act of 1949, as amended. This exemption, which applies to approximately 225 persons, is in effect the same as the corresponding exemption contained in the first section of the House bill.

Second, persons who receive compensation at one of the annual salary rates (at present \$25,000, \$20,000, \$17,500, and \$15,000) authorized in section 411 of the Foreign Service Act of 1946. This exemption covers chiefs of mission in the Foreign Service of the United States (approximately 70 in number but not including *chargés d'affaires ad interim*) to the same extent as provided in the first section of the House bill and, in addition, covers all other persons comparable to chiefs of mission both in rank and pay. There are approximately 25 persons in this additional group, most of whom are in the Mutual Security Agency.

In addition to the foregoing exemptions, the first section of the Senate amendment exempts from the Annual and Sick Leave Act of 1951 such other officers in the executive branch (except postmasters, United States attorneys, and United States marshals) as the President may designate in his discretion. It is anticipated that approximately 100 officers will be exempted under this provision, including, for example, the Treasurer of the United States and United States members of international boundary and other commissions and organizations. This exemption is not contained in the House bill.

The purpose of both the House bill and the Senate amendment, in removing from the purview of the Annual and Sick Leave Act of 1951 the above-mentioned respective categories of high-ranking officials, is to prevent such officials in the future from earning and accumulating leave and receiving lump-sum payments for unused annual leave. The removal of such officials from the existing leave system is based on the theory that such officials are, by virtue of their respective offices and positions, actually on duty at all times, including periods of vacation or sickness. Moreover, since such officials now have complete freedom to absent themselves from duty as they see fit, it

is incompatible with their offices and positions to make them subject to a leave system requiring the maintenance of attendance and leave records and to allow them lump-sum payments for unused annual leave. Both the House bill and the Senate amendment terminate the present advantage which high-ranking officials now have over other officers and employees in being eligible to receive the benefits of a statutory leave system and, at the same time, being exempted, in effect, from the obligations of such leave system to the extent that by the nature of their offices and positions they have freedom to absent themselves from duty from time to time.

In addition, the first section of the Senate amendment amends section 202 of the Annual and Sick Leave Act of 1951 to provide that no officer in the executive branch to whom such act applies—shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer.

Such provision is not contained in the House bill. The purpose of such provision is to establish a standard under which it can be determined which officers in the executive branch are entitled to the compensation attached to their respective offices solely by virtue of their respective statuses as officers and which officers in the executive branch are not so entitled. Hereafter, under the standard proposed by the Senate amendment, officers exempted from the Annual and Sick Leave Act of 1951 will retain their freedom to absent themselves from duty on their own volition but will not receive statutory leave or lump-sum payments for unused annual leave. Those officers not exempted from such act will lose their present freedom to absent themselves from duty as they see fit but will retain their right to statutory leave benefits and be subject to the laws and regulations governing hours of work, leaves of absence, and related matters.

The first section of the Senate amendment also adds a provision to section 202 of the Annual and Sick Leave Act of 1951 which authorizes the President in his discretion to grant leaves of absence specifically for use in the United States, its Territories and possessions—"home leave"—to chiefs of mission in the Foreign Service and other officers comparable to chiefs of mission in rank and pay. A similar provision is not contained in the House bill for the reason that the first section thereof continues the applicability of section 203 (f) of the Annual and Sick Leave Act of 1951, relating to home leave, to Foreign Service personnel exempted in all other respects from such act by the House bill. Since the Senate amendment exempts such chiefs of mission and other comparable officers from all provisions of the Annual and Sick Leave Act of 1951, this provision of the Senate amendment is necessary to provide authority for the payment under the Foreign Service Act of 1946 of travel expenses related to home leave to those chiefs of mission and other comparable officers who are granted home leave by the President.

The first section of the Senate amendment contains no provision comparable to subsection (c) of the first section of the House bill, authorizing the President to provide leaves of absence with pay for any officers and employees exempted as a result of the enactment of the House bill from the Annual and Sick Leave Act of 1951. Such provision is unnecessary in the Senate amendment in the light of the

standard provided by the Senate amendment to determine which officers are entitled to the compensation attached to their respective offices solely by virtue of their respective statuses as officers.

The first section of the conference substitute is, in effect, the same as the first section of the Senate amendment except for the following changes:

First, the conference substitute contains language which makes it clear that officials of the government of the District of Columbia and of corporations wholly owned or controlled by the United States are subject to the provisions of section 202 (c) of the Annual and Sick Leave Act of 1951 as contained in the first section of the conference substitute.

Second, the provision of the Senate amendment which exempts from the Annual and Sick Leave Act of 1951 chiefs of mission and other officers comparable to chiefs of mission in rank and pay who receive compensation "at one of the rates authorized in" section 411 of the Foreign Service Act of 1946 is changed to exempt chiefs of mission and other comparable officers who receive compensation "in accordance with" such section 411. The purpose of using the words "in accordance with" in lieu of the words "at one of the rates authorized in" is to make it clear that the officers so exempted who are comparable to chiefs of mission are only those officers who actually receive their compensation under authority of such section 411 and not those officers who receive compensation merely at rates which are equivalent to the rates prescribed in such section but which are paid under authority of some other provision of law.

Third, the provision of the Senate amendment which authorizes the President in his discretion to provide leaves of absence to chiefs of mission and other comparable officers for use in the United States, its Territories and possessions, is qualified by additional language which provides that such leaves of absence so authorized shall not constitute a leave system and that any such leave of absence remaining unused shall not be made the basis for any lump-sum payment. This additional language, which is identical to the second sentence of subsection (c) of the first section of the House bill, is included in order to make it clear that, since the leaves of absence so authorized by the President are not statutory leaves of absence, they cannot, therefore, either constitute a leave system or be made the basis for any lump-sum leave payment.

Section 2 of the House bill contains provisions relating to the accumulated and current accrued annual and sick leave to which those officers and employes, who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the House bill, are entitled immediately prior to their exemption from such act.

Subsection (a) of section 2 prohibits the liquidation of such annual leave by lump-sum payment during the period of service of any person as an exempted officer or employee by providing that lump-sum payment for such annual leave shall be made only if, while he is within the class of such exempted officers and employees, he is separated from the service, dies, or is transferred out of his exempted position to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951. Subsection (a) also provides that such lump-sum payment shall be at the rate of compensa-

tion which the exempted officer or employee was receiving immediately prior to his exemption from the Annual and Sick Leave Act of 1951.

Subsection (b) of section 2 provides that any such exempted officer or employee who, after the expiration of his period of exempted service again becomes subject to the Annual and Sick Leave Act of 1951 without any break in the continuity of his service, shall again be entitled to and be credited with the same amount of accumulated and current accrued annual and sick leave to which he was entitled immediately prior to the beginning of his period of exempted service, as if he had been continuously subject to the Annual and Sick Leave Act of 1951. Thereafter, any liquidation of such annual leave by lump-sum payment would be at the last rate of compensation which he received immediately prior to such lump-sum payment.

Subsection (c) of section 2 provides that any such exempted officer or employee who is separated from his exempted position in order to enter upon active service in the Armed Forces of the United States is granted the right to receive compensation in a lump sum covering the accumulated and current accrued annual leave to which he was entitled immediately prior to his exemption from the Annual and Sick Leave Act of 1951 as a result of the enactment of the House bill or the right to have such annual leave remain to his credit until his return from active service in the Armed Forces, as he may elect.

Subsections (a) and (b) of section 2 of the Senate amendment contain provisions with respect to those officers who are exempted from the Annual and Sick Leave Act of 1951 by the Senate amendment which are similar to those contained in subsections (a) and (b) of section 2 of the House bill with respect to those officers and employees who are exempted from such Act by the House bill.

Subsection (c) of section 2 of the Senate amendment contains provisions with respect to those officers who are exempted from the Annual and Sick Leave Act of 1951 by the Senate amendment which are similar to those contained in subsection (c) of section 2 of the House bill with respect to those officers and employees who are exempted from such Act by the House bill, with one exception. Such subsection (c) of the Senate amendment provides that any such exempted officer who is separated from his exempted position to enter upon active service in the merchant marine of the United States shall be entitled to the same benefits as any such exempted officer who is separated from his exempted position to enter upon active service in the Armed Forces of the United States.

Subsection (a) of section 2 of the conference substitute provides for the liquidation by lump-sum payment in accordance with the act of December 21, 1944, or the act of August 3, 1950, of the accumulated and current accrued annual leave to which any officer exempted from the Annual and Sick Leave Act of 1951 under the first section of the conference substitute is entitled immediately prior to the date such section becomes applicable to him. The act of December 21, 1944, provides for lump-sum payments to Government officers and employees for accumulated and current accrued annual leave due upon their separation from the service or transfer to agencies in different leave systems. The act of August 3, 1950, provides for payment for accumulated and current accrued annual leave to survivors of deceased officers and employees. Since the act of December 21, 1944, and the act of August 3, 1950, are amended by sections 4 and 5 of the

conference substitute with respect to officers and employees generally, the operation of such acts with respect to exempted officers is discussed in connection with sections 4 and 5 of the conference substitute. Payment of such exempted officers, however, is to be at the same rate of compensation provided in the House bill and the Senate amendment, and is to be made without regard to the limitations imposed by the amendments made by such sections with respect to the amounts of leave compensable under such acts. Payments to exempted officers for leave accrued prior to the date the conference substitute becomes applicable to them can only be made when one of the conditions of the act of December 21, 1944, or the act of August 3, 1950, is met.

Since under the conference substitute the accumulated and current accrued annual leave of an exempted officer remains in a suspended status and the time of payment is contingent upon the happening of a future event, it is contemplated that payments for such leave will be made by the agency in which such officer is employed at the time of entitlement to payment and will be made from current appropriations for such agency.

Subsection (b) of section 2 of the conference substitute is, in effect, the same as subsection (b) of section 2 of both the House bill and the Senate amendment except that a change in language has been effected in order to make it clear that, during the period in which the entitlement of an exempted officer to lump-sum payment for accumulated annual leave is suspended, such officer does not lose his credit for annual and sick leave standing to his credit at the time he was exempted from the Annual and Sick Leave Act of 1951.

Subsections (a), (b), and (c) of section 3 of the Senate amendment amend sections 203 (c), 203 (d), and 208 (a) of the Annual and Sick Leave Act of 1951 to provide that the leave year for officers and employees subject to such act shall commence and terminate early in January rather than in December just before Christmas, thus permitting the use of accumulated annual leave over the Christmas and New Year holidays, while maintaining the advantages of pay period accounting. This result is accomplished by changing the effective date of the maximum allowable leave accumulation from the end of the last complete biweekly pay period in the calendar year (for example, December 21 or 22) to the beginning of the first complete biweekly pay period in the calendar year (for example, January 6).

Subsections (a) and (b) of section 3 of the conference substitute amend section 203 (c) and (d) of the Annual and Sick Leave Act of 1951 in the following respects:

First, the same change is made in the beginning and termination of the leave year for officers and employees subject to the Annual and Sick Leave Act of 1951 as is made by section 3 (a) and (b) of the Senate amendment.

Second, the maximum allowable accumulation of annual leave of officers and employees stationed in the continental United States and officers and employees in the Foreign Service of the United States under the Department of State is reduced from 60 to 30 days.

Third, the maximum allowable accumulation of annual leave of officers and employees stationed outside the continental United States (other than officers and employees in the Foreign Service of the United States) is reduced from 90 to 45 days.

Subsection (c) of section 3 of the conference substitute amends section 208 (a) of the Annual and Sick Leave Act of 1951. Such section 208 (a), as so amended, contains the following provisions:

First, the same change is made in the beginning and termination of the leave year for officers and employees subject to the Annual and Sick Leave Act of 1951 as is made by section 3 (c) of the Senate amendment.

Second, in view of the reduction in leave accumulation limits, paragraph (1) of section 208 (a) provides that an officer or employee shall retain credit, until used, for accumulated annual leave standing to his credit immediately following the end of the last complete biweekly pay period in the calendar year 1952 (or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods) under the provisions of law applicable to such officer or employee at such time which is in excess of the amount of such annual leave allowed him under subsection (c) or (d) of section 203, as the case may be, as such subsections are amended by the conference substitute.

The House bill contains no provisions comparable to section 3 of the Senate amendment or section 3 of the conference substitute.

Section 4 of the Senate amendment provides that (1) no officer or employee (except an officer or employee stationed outside the continental United States) shall be paid for any terminal leave in excess of 60 days, and (2) if such officer or employee is reemployed by the United States before the expiration of the period for which he was paid terminal leave, he shall refund to the United States an amount covering the period of accumulated leave unused.

Section 4 (a) of the conference substitute amends the first section of the act of December 21, 1944, in the following respects:

First, the lump-sum payment for unused accumulated annual leave which is to be paid an officer or employee upon his separation from the service or, if he so elects, upon his entrance into the Armed Forces of the United States or the merchant marine of the United States, shall not, after August 31, 1953, exceed compensation for any period of such leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater.

Second, upon reemployment of such officer or employee (other than in a position exempted from the Annual and Sick Leave Act of 1951 under sec. 202 (b) (1) (B), (C), or (H) of such act) prior to the expiration of the period covered by the leave payment, he is to refund to the employing agency an amount equal to the compensation covering the period between the date of reemployment and the expiration of such leave period.

Third, in the case of an officer or employee reemployed under the same leave system, the leave represented by such refund shall be recredited to him in the employing agency in an amount equal to the amount represented by the refund.

Fourth, in the case of an officer or employee reemployed under a different leave system, the leave represented by such refund shall be recredited to him in the employing agency on an adjusted basis pursuant to regulations prescribed by the Civil Service Commission.

Fifth, in the case of an officer or employee reemployed in an office or position exempted from the Annual and Sick Leave Act of 1951

under section 202 (e) (1) of such act, the leave represented by such refund shall be deemed to have remained to his credit upon his separation from service, death, or transfer to another office or position.

Sixth, any amounts so refunded are to be deposited in the Treasury to the credit of the employing agency. The present law provides that the amount so refunded shall be deposited in the Treasury as miscellaneous receipts. The crediting of the refund to the employing agency will enable such agency to pay the employee making the refund even though he is employed for only a short time.

Section 4 (b) of the conference substitute is made necessary by the repeal of section 3 of the act of December 21, 1944 by section 7 (b) of the conference substitute. Such section 3 provided that all accumulated and current accrued leave shall be liquidated by a lump-sum payment in case an officer or employee transfers to an agency under a different leave system. This practice has been widely criticized and, therefore, the provision is repealed by the conference substitute. Section 4 (b) adds a subsection (e) to section 205 of the Annual and Sick Leave Act of 1951 to provide that the annual and sick leave to the credit of an officer or employee who transfers without a break in service between positions under different leave systems (none of which leave may hereafter be paid for) shall be transferred to his credit in the employing agency on an adjusted basis pursuant to regulations prescribed by the Civil Service Commission.

Section 5 of the conference substitute amends section 2 of the act of August 3, 1950, which provides, in part, for the lump-sum payment for all accumulated and current accrued annual leave to survivors of deceased officers and employees in an amount equal to the compensation that the decedent would have received if he had remained in the service until the expiration of the period of such annual leave. Such amendment provides that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater. This amendment is in accord with the amendment made by section 4 (a) of the conference substitute to the first section of the act of December 21, 1944.

The House bill contains no provisions comparable to section 4 of the Senate amendment or sections 4 and 5 of the conference substitute.

Section 6 of the conference substitute requires the head of each department and agency to take such action as may be necessary to effect reductions in the accumulated annual leave which is to the credit of officers and employees therein who are subject to the Annual and Sick Leave Act of 1951 and which is in excess of the maximum allowable leave accumulations of 30 and 45 days prescribed by section 203 (e) and (d) of such act as amended by section 3 (a) and (b) of the conference substitute. Such reductions are to be effected within a reasonable period of years consistent with the exigencies of the public business. The head of each department and agency is required to make such reports to the Civil Service Commission with respect to the action taken by him for this purpose as the Commission may request. It is also provided that the Civil Service Commission shall include in its annual report to the Congress a statement of the progress

made in carrying out the purposes of this section of the conference substitute.

The House bill and the Senate amendment contain no provisions comparable to section 6 of the conference substitute.

Section 6 of the Senate amendment repeals section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, 82d Cong.)—the Thomas leave rider—such repeal to be effective on the date of enactment of the Senate amendment. Such section 401 prohibits the use of funds of or available for expenditure by any corporation or agency of the Federal Government (including the government of the District of Columbia) for payment of annual leave which is accumulated by a civilian officer or employee during any calendar year beginning on or after January 1, 1952, and which is unused at the close of business on June 30 of the next succeeding calendar year. Such section 401 also requires the head of any such Government corporation or agency to provide an opportunity for officers and employees to use their accumulated annual leave prior to June 30 of such succeeding calendar year. Such section 401 does not apply with respect to (1) officers and employees whose posts of duty are outside the continental United States and (2) the payment of compensation for accumulated annual leave to officers and employees who leave their civilian positions in order to enter upon active military or naval service in the Armed Forces of the United States. The effect of such section 401 is to prevent the accumulation by officers and employees in the continental United States of annual leave accruing on and after January 1, 1952.

Section 7 (a) of the conference substitute repeals the Thomas leave rider in the same manner as section 6 of the Senate amendment, except that such repeal is to be effective on June 29, 1953, in order to make it clear that officers and employees will not lose any annual leave through the operation of the Thomas leave rider, in the event that the conference substitute becomes law after the close of business on June 30, 1953.

The House bill contains no provisions comparable to section 6 of the Senate amendment or section 7 (a) of the conference substitute.

Section 7 (b) of the conference substitute repeals sections 3 and 4 of the act of December 21, 1944. The repeal of section 3 has been discussed in connection with section 4 (b) of the conference substitute. Section 4 of such act of December 21, 1944, provided that the first two sections of such act shall not apply to officers and employees of the Panama Canal and Panama Railroad on the Isthmus of Panama.

The House bill and the Senate amendment contain no provisions comparable to section 7 (b) of the conference substitute.

Section 3 of the House bill, section 5 of the Senate amendment, and sections 7 (a) and 8 of the conference substitute relate to effective dates. All provisions of the House bill take effect on the first day of the first pay period beginning after the date of enactment of the House bill. All provisions of the Senate amendment take effect at the same time as provided in the House bill, except that the Thomas leave rider is repealed upon enactment of the Senate amendment. Under the conference substitute: (1) the first section and section 2 take effect on the first day of the first pay period beginning after the

date of enactment, and (2) all other provisions take effect upon enactment, except that section 7 (a), which repeals the Thomas leave rider, takes effect as of June 29, 1953.

EDWARD H. REES,
ROBERT J. CORBETT,
KATHARINE ST. GEORGE,
TOM MURRAY,
JAMES C. DAVIS,
Managers on the Part of the House.



tention and prompt passage; and be it further

Resolved, That the officers and members of Fargo Aerie, No. 153, FOE, invite other civic, religious, patriotic, and fraternal organizations to join with them in the support of this project.

CLARENCE P. VOGEL,
Worthy President.
PETER MACARTHUR,
Secretary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. MARTIN, from the Committee on Public Works:

H. R. 4823. A bill to convey by quitclaim deed certain land to the State of Texas; without amendment (Rept. No. 453); "

H. R. 4978. A bill to repeal the act of September 30, 1950, authorizing the transfer to the State of Iowa of Fort Des Moines, Iowa; without amendment (Rept. No. 452); and

H. R. 5349. A bill authorizing the United States Government to reconvey certain lands to W. C. Pailmeyer and E. M. Cole; with an amendment (Rept. No. 451).

RETIREMENT OF EMPLOYEES IN LEGISLATIVE BRANCH—REPORT OF A COMMITTEE

Mrs. SMITH of Maine. Mr. President, from the Committee on Government Operations, I report an original bill to amend title VI of the Legislative Reorganization Act of 1946, as amended, with respect to the retirement of employees in the legislative branch, and I submit a report (No. 454) thereon.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar.

The bill (S. 2175) to amend title VI of the Legislative Reorganization Act of 1946, as amended, with respect to the retirement of employees in the legislative branch, reported by Mrs. SMITH of Maine, from the Committee on Government Operations, was read twice by its title, and placed on the calendar.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. CARLSON, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

EXEMPTION OF CERTAIN GOVERNMENT OFFICIALS FROM ANNUAL AND SICK LEAVE ACT, 1951—CONFERENCE REPORT

Mr. CARLSON submitted a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, which was ordered to lie

on the table, and to be printed in the RECORD.

(For text of conference report, see House proceedings of today's RECORD.)

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. FERGUSON:

S. 2165. A bill to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the founding of Michigan State College; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. FERGUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 2166. A bill for the relief of Gertrude Rena Carlson; to the Committee on the Judiciary.

S. 2167. A bill to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division; and

S. 2168. A bill to provide for loans to individuals for the purpose of enabling them to obtain a college or university education; to the Committee on Labor and Public Welfare.

By Mr. KEFAUVER:

S. 2169. A bill for the relief of Hermenegildo V. Santos and his family; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2170. A bill to promote the rehabilitation of the Sisseton-Wahpeton Sioux Tribe of Indians and better utilization of the resources of the Sisseton Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. HENDRICKSON):

S. 2171. A bill to amend section 9 (a) of the Trading With the Enemy Act, as amended; to the Committee on the Judiciary.

By Mr. CASE (by request):

S. 2172. A bill to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907; to the Committee on the District of Columbia.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 2173. A bill to amend section 402 (d) of the Career Compensation Act of 1949 to raise the limitation upon the rate of disability retirement pay for certain members of the uniformed services; to the Committee on Armed Services.

By Mr. ANDERSON:

S. 2174. A bill for the relief of Rolf S. Nielsen; to the Committee on the Judiciary.

By Mrs. SMITH of Maine:

S. 2175. A bill to amend title VI of the Legislative Reorganization Act of 1946, as amended, with respect to the retirement of employees in the legislative branch; placed on calendar.

(See the remarks of Mrs. SMITH of Maine when she reported the above bill from the Committee on Government Operations, which appear under a separate heading.)

By Mr. LEHMAN:

S. 2176. A bill for the relief of Maly Braunstein and Aurelia Rappaport; to the Committee on the Judiciary.

By Mr. DANIEL (by request):

S. 2177. A bill for the relief of Charles H. Denny and Dorothy Mae Denny, his wife; to the Committee on the Judiciary.

By Mr. FERGUSON:

S. J. Res. 91. Joint resolution authorizing the recognition of the one hundredth anniversary of the founding of Michigan State College, the first agricultural college in the United States, and providing for the representation of the Government and people of the United States in the observance of such anniversary; to the Committee on the Judiciary.

(See the remarks of Mr. FERGUSON when he introduced the above joint resolution, which appear under a separate heading.)

RECOGNITION OF 100TH ANNIVERSARY OF FOUNDING OF MICHIGAN STATE COLLEGE

Mr. FERGUSON. Mr. President, I introduce for appropriate reference, a bill to authorize the issuance of a special series of stamps commemorative of the 100th anniversary of the founding of Michigan State College, and a joint resolution authorizing the recognition of the 100th anniversary of the founding of Michigan State College, the first agricultural college in the United States, and providing for the representation of the Government and people of the United States in the observance of such anniversary. I ask unanimous consent that the bill and joint resolution, together with a statement by me be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill and joint resolution will be received and appropriately referred; and, without objection, the bill, joint resolution, and statement will be printed in the RECORD.

The bill (S. 2165) to authorize the issuance of a special series of stamps commemorative of the 100th anniversary of the founding of Michigan State College, introduced by Mr. FERGUSON, was received, read twice by its title; referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to issue a special series of 3-cent postage stamps, of such appropriate design as he shall prescribe, in commemoration of the 100th anniversary of the founding of Michigan State College, the first agricultural college in the United States and the model for the land-grant college system established under the Morrill Act of 1862. Such stamps shall be first offered for sale to the public at East Lansing, Mich., on February 12, 1955.

The joint resolution (S. J. Res. 91) authorizing the recognition of the 100th anniversary of the founding of Michigan State College, the first agricultural college in the United States, and providing for the representation of the Government and people of the United States in the observance of such anniversary, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas February 12, 1955, marks the 100th anniversary of the founding of Michigan State College, the first agricultural college in the United States, and the model for the land-grant college system; and

Whereas Michigan State College and other land-grant colleges established under the

Morrill Act of 1862 have improved the American standard of living, helped bring real economic prosperity to the American people, and have played an important role in the evolution and development of the American way of life to its present position of world leadership: Now, therefore, be it

Resolved, etc., That the Government and people of the United States unite with Michigan State College in a fitting and appropriate observance of the 100th anniversary of its founding, which represents the beginning of the establishment of a democratic type of education which has now spread the benefits of higher education and related services to Americans in every walk of life.

SEC. 2. There is hereby established a commission to be known as the United States Michigan State College Centenary Commission (hereafter referred to as the Commission) to be composed of 15 Commissioners as follows: The President of the United States and 4 persons to be appointed by him, the President of the Senate and 4 Members of the Senate to be appointed by him, and the Speaker of the House of Representatives and 4 Members of the House to be appointed by him.

SEC. 3. The Commission, on behalf of the United States, shall cooperate with representatives of Michigan State College, the State of Michigan, and the cities of Lansing and East Lansing, Mich., in the appropriate observance of such anniversary.

SEC. 4. The members of the Commission shall serve without compensation and shall select a Chairman from among their number, but the President of the United States shall be designated the "Honorary Chairman" of the Commission.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$ to be expended by the Commission for expenses, including actual and necessary traveling and subsistence expenses, incurred while discharging its functions under this joint resolution. The Commission shall have power to select, hire, and fix the compensation of such officers and employees as shall be necessary for the performance of its duties without regard to the provisions of other laws applicable to employment or compensation of officers or employees of the United States.

SEC. 6. Any vacancies occurring in the membership of the Commission shall be filled by the President of the United States.

The statement by Senator FERGUSON is as follows:

STATEMENT OF SENATOR FERGUSON

Looking back into history, all Michigan people should be proud of the enviable record of educational achievements made by Michigan State College. Its history is founded in the democratic idealism of the mid-19th century; its present is filled with realism in the form of never-ending services to the people of the State; its future is bright with the challenge of further greatness as one of America's leading universities.

Michigan has every reason to look with pride on the century of service by Michigan State College, an institution founded and supported by the people of the State of Michigan.

Michigan took the lead in establishing agricultural colleges in the United States. And, following the founding of Michigan Agricultural College in 1855, Michigan leaders were instrumental in extending this unique idea to the entire Nation through the Morrill Act of 1862.

For the system of higher education planted at East Lansing, Mich., and transplanted in every State and possession of the United States first brought democracy to higher education. This was a real evolution in

higher education, whereby the benefits of college training were extended for the first time to great numbers of Americans instead of the comparative few.

The land-grant colleges, according to the Morrill Act, were charged to teach "such branches of learning as are related to agriculture and mechanic arts * * * in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life." Previously reserved for the sons of the wealthy and for those training for the professions, colleges for the first time turned their attention to serving the practical needs of the common man—the farmer, the industrial worker, the merchant, and all the rest.

This practical application of scientific knowledge has helped improve the American standard of living; it has helped speed the wheels of American industrial production; it has helped bring real economic equality to the American people.

In many other ways, the land-grant college system has been an important factor in the evolution of American democracy and in the development of America to her present position of world leadership. By opening wide the doors to scientific research and development, it has been a major factor in the development of the American economic system into the most productive and beneficial to the common man the world has ever known.

Today, as Michigan State College prepares to close its first century of distinguished service, an even brighter future lies ahead. For thanks to the people of Michigan, the college has grown in stature and importance until it stands as one of the Nation's great universities.

It is to honor these achievements of the past and to focus public attention on the responsibilities of the future that Michigan State College is planning a year-round centennial celebration. The program will begin officially February 12, 1955, which marks the 100th anniversary of the act of the Michigan Legislature creating MSC. The centennial program will end December 31, 1955.

In order to provide appropriate recognition of this outstanding event in the history of American education, I am introducing a bill and a joint resolution (1) authorizing the recognition of the 100th anniversary of the founding of Michigan State College and providing for the representation of the Government and the people of the United States in the observance of such anniversary, and (2) authorizing the issuance of a special series of stamps commemorative of the 100th anniversary of the founding of MSC.

PRACTICE OF VETERINARY MEDICINE IN THE DISTRICT OF COLUMBIA

Mr. CASE. Mr. President, at the request of the Commissioners of the District of Columbia, I introduce for appropriate reference a bill to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2172) to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907, introduced by Mr. CASE (by request), was received, read twice by its title, and referred to the Committee on the District of Columbia.

EXTENSION OF AUTHORITY FOR EXAMINATION AND REVIEW OF ADMINISTRATION OF TRADING WITH THE ENEMY ACT

Mr. DIRKSEN submitted the following resolution (S. Res. 120), which was referred to the Committee on the Judiciary:

Resolved, That the authority of the Senate Committee on the Judiciary under Senate Resolution 245, 82d Congress, agreed to March 24, 1952, and Senate Resolution 47, 83d Congress, agreed to January 30, 1953 (authorizing a full and complete examination and review of the administration of the Trading With the Enemy Act), and the time for reporting the results of its study and investigation thereunder is hereby extended to January 31, 1954.

SEC. 2. The sums previously authorized to be expended under such resolutions shall be available for the expenses of the Committee covering obligations incurred on or before January 31, 1954.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENTS

Mr. DOUGLAS submitted amendments, intended to be proposed by him, to the bill (H. R. 4828) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1954, and for other purposes, which were ordered to lie on the table and to be printed.

JURISDICTION OVER SUBMERGED LANDS OF OUTER CONTINENTAL SHELF—AMENDMENTS

Mr. HILL (for himself, Mr. DOUGLAS, Mr. NEELY, Mr. TOBEY, Mr. LANGER, Mr. MORSE, Mr. SPARKMAN, Mr. KEFAUVER, Mr. CHAVEZ, Mr. HUMPHREY, Mr. HENNING, Mr. LEHMAN, Mr. MURRAY, Mr. GILLETTE, Mr. FULBRIGHT, Mr. CASE, Mr. KILGORE, Mr. GREEN, Mr. MAGNUSON, Mr. JACKSON, Mr. MANSFIELD, Mr. PASTORE, Mr. KENNEDY, Mr. WILEY, Mr. CLEMENTS, Mr. YOUNG, Mr. MUNDT, Mr. SYMINGTON, and Mr. JOHNSON of Colorado) submitted amendments intended to be proposed by them, jointly, to the bill (S. 1901) to provide for the jurisdiction of the United States over the submerged lands of the outer Continental Shelf, and to authorize the Secretary of the Interior to lease such lands for certain purposes, which were ordered to lie on the table and to be printed.

HOUSE BILL PLACED ON CALENDAR

The bill (H. R. 5710) to amend further the Mutual Security Act of 1951, as amended, and for other purposes, was read twice by its title, and placed on the calendar.

COMMUNICATIONS STUDY (S. DOC. NO. 53)

Mr. TOBEY. Mr. President, I ask unanimous consent that a report of a subcommittee of the Committee on Interstate and Foreign Commerce, on a communications study, be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Is there objection to the request

cerns the Department of Defense. Sections 1 (c) and 1 (d) of Reorganization Plan No. 6 would give further powers to the chairman of the Joint Chiefs of Staff. Many of us feel that this is a step in the direction toward the German or Prussian-type of General Staff and therefore should be opposed.

At the Government Operations Committee this morning, we approved the resolution of Mr. HOFFMAN, the distinguished chairman of our committee, House Resolution 264, which will approve Reorganization Plan No. 6, but delete therefrom subsections 1 (c) and 1 (d). That resolution is now before the Rules Committee. I am hopeful that the Rules Committee will give us a rule so that this important matter might come before the House.

In the event, however, that the Rules Committee sees fit not to give Mr. HOFFMAN a rule, I have introduced a disapproving resolution to Reorganization Plan No. 6, and also specific legislation, H. R. 5845, to accomplish the purpose of bringing the entire plan into operation with the exception of the two paragraphs which we consider objectionable. The Government operations committee today approved H. R. 5845 and it, like House Resolution 264, is now pending before the Rules Committee. In the event that the Rules Committee does not take action either on House Resolution 264 or H. R. 5845, I intend to ask the Committee on Government Operations to consider my disapproving resolution, House Resolution 295. Thereafter, I will bring my resolution, House Resolution 295, to the floor of the House, either on a motion to discharge the committee or after favorable action by the Government Operations Committee if that committee takes such action. It seems to me that this matter is of such importance that the full House should have the opportunity to consider the issue squarely.

SPECIAL ORDERS GRANTED

Mr. POWELL (at the request of Mr. HOLIFIELD) was granted permission to address the House tomorrow for 30 minutes, following the legislative program of the day and any special orders heretofore entered.

Mr. HOLIFIELD asked and was granted permission to address the House today for 30 minutes, following the legislative business of the day and any special orders heretofore entered.

Mr. MADDEN asked and was granted permission to address the House today for 15 minutes, following the legislative business of the day and any special orders heretofore entered.

PICKETING THE WHITE HOUSE

(Mr. STEED asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEED. Mr. Speaker, now that the Rosenberg case is out of the way, and now that all of us can consider this matter in calm and considered way, and since

this is also District of Columbia Day, I rise to urge as strongly as I can that this Congress take action to prohibit picketing in the vicinity of the White House.

Last week during the Rosenberg demonstration a riot was narrowly averted. Time after time, foreign agents have brought to Washington the riffraff of the slums to demonstrate with the White House as a stage, holding this national shrine up to disgrace and ridicule before the world. There has not been a single case in the last 20 years that I can remember when anyone else in America has resorted to use of the White House picketing device to serve their purposes.

Why, then, must this Congress remain silent and permit this sort of thing to continue?

I am not opposed to public demonstrations. But I am opposed to using the White House as a stage for these despicable displays.

Our colleague, the gentleman from Texas, Hon. BRADY GENTRY, has introduced a bill (H. R. 3979) to prohibit White House picketing. I urge every Member of the House, and especially the members of the District Committee, to give this legislation immediate and favorable consideration.

SPECIAL ORDER GRANTED

Mr. WHEELER asked and was given permission to have vacated the special order granted him for today, and to address the House for 1 hour on Monday next, following the legislative business and any special orders heretofore entered.

Mr. BAILEY asked and was given permission to address the House for 15 minutes on Wednesday next, following any other special orders heretofore entered.

(Mr. BENNETT of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. BENNETT of Florida addressed the House. His remarks appear in the Appendix of today's RECORD.]

RESIDUAL FUEL OIL IMPORTS

(Mr. BAILEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAILEY. Mr. Speaker, I have asked this privilege of 1 minute to advise my colleagues of the House that on Friday last I introduced a joint resolution along with the senior Senator from West Virginia, declaring that part of the supplemental Venezuelan reciprocal trade agreement of 1952 that has to do with the importation of residual fuel oil null and void insofar as it applies to the rates being charged under this agreement.

I think I can prove to the Congress that former President Truman exceeded his power in fixing the rate at 5¼ cents; that the rate should be 10½ cents; and I would like to remind my colleagues on the left of the aisle that that agreement if amended will bring to the Treasury of

the United States \$26,250 daily based upon the average daily importation of residual fuel oil for the month of May. So I can see no reason why this resolution should not be accepted.

On Wednesday of this week I shall in a special order put some of the detail in the RECORD in order that my colleagues may be advised of the necessity of approving this resolution.

WHEAT FOR PAKISTAN

(Mr. ROONEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROONEY. Mr. Speaker, I am taking advantage of this means to bring to the attention of the House an important situation with regard to the bill H. R. 5659 which would provide for the transfer of price-support wheat to Pakistan. The companion bill, S. 2112, which passed the Senate last Tuesday contains a proviso that at least 50 percent of the cargoes of this wheat for Pakistan must be carried in American flag ships. The provision reads as follows:

At least 50 percent of the gross tonnage of wheat made available under this act and transported from the United States on ocean vessels shall be so transported on United States flag vessels to the extent practicable and to the extent such vessels are available at market rates for United States flag vessels.

The bill reported out by the House Committee on Agriculture which we shall consider later today does not contain such a provision. An amendment will be offered either by myself or the Chairman or some other Member of the House Committee on Merchant Marine and Fisheries at the time this bill is read for amendment and will provide the same language as the Senate bill, to-wit, that at least 50 percent of the cargoes of this wheat must be carried in American flag vessels.

CORRECTION OF RECORD

Mr. FISHER. Mr. Speaker, at page 6759 of the RECORD of June 15, 1953, I am quoted near the middle of the first column on that page as saying, "Texas Wool and Mohair Association." The language should read: "Texas Sheep and Goat Raisers' Association." I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER pro tempore. Without objection, the permanent RECORD will be corrected accordingly.

There was no objection.

Mr. LAIRD. Mr. Speaker, on page 7140 of the CONGRESSIONAL RECORD, in the last line of my remarks, the sum of \$575 million appears. This should read "\$475 million." I ask unanimous consent that the permanent RECORD be corrected accordingly.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ANNUAL AND SICK LEAVE ACT OF 1951

Mr. REES of Kansas submitted the following conference report and statement on the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 629)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That section 202 of the Annual and Sick Leave Act of 1951 is amended by adding a subsection (c) as follows:

"(c) (1) This title shall not apply to the following officers in the executive branch of the Government and officers of the government of the District of Columbia, including officers of corporations wholly owned or controlled by the United States:

"(A) persons appointed by the President by and with the advice and consent of the Senate, or by the President alone, whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended;

"(B) persons who receive compensation in accordance with section 411 of the Foreign Service Act of 1946; and

"(C) such other officers (except postmasters, United States attorneys, and United States marshals) as may be designated by the President."

No officer in the executive branch of the Government and no officer of the government of the District of Columbia, including an officer of a corporation wholly owned or controlled by the United States, to whom this title applies shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer.

"(2) The President, in his discretion, may authorize leaves of absence to persons who are exempted from this title pursuant to subsection (c) (1) (B) for use in the United States and its Territories and possessions. Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment."

"Sec. 2. (a) The accumulated and current accrued annual leave to which any officer exempted from the Annual and Sick Leave Act of 1951 as a result of the enactment of this Act is entitled immediately prior to the date this Act becomes applicable to him shall be liquidated by a lump-sum payment in accordance with the Act of December 21, 1944 (5 U. S. C. 61b-61e) or the Act of August 3, 1950 (5 U. S. C. 61f-61k), except that payment under either such Act (1) shall be based upon the rate of compensation which he was receiving immediately prior to the date on which this Act became applicable to him, and (2) shall be made without regard to the limitations imposed by the amendments made by sections 4 and 5 of this Act with respect to the amounts of leave compensable under such Acts.

"(b) In the event any such exempted officer, without any break in the continuity of his service, again becomes subject to the Annual and Sick Leave Act of 1951 upon the

completion of his service as an exempted officer, the unused annual and sick leave standing to his credit at the time he was exempted from the Annual and Sick Leave Act of 1951 shall be deemed to have remained to his credit.

"Sec. 3. (a) Section 203 (c) of the Annual and Sick Leave Act of 1951 is amended to read as follows:

"(c) The annual leave provided for in this section, which is not used by an officer or employee, shall accumulate for use in succeeding years until it totals not to exceed thirty days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, occurring in any year."

"(b) So much of section 203 (d) of the Annual and Sick Leave Act of 1951 as precedes paragraph (1) thereof is amended to read as follows:

"(d) Notwithstanding the provisions of subsection (c), a maximum accumulation not to exceed forty-five days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in any year is authorized to the following categories of employees of the Federal Government, other than officers and employees in the Foreign Service of the United States under the Department of State, stationed outside the several States and the District of Columbia: "

"(c) Section 208 (a) of the Annual and Sick Leave Act of 1951 is amended to read as follows:

"Sec. 208. (a) In any case in which—

"(1) the amount of accumulated annual leave to the credit of an officer or employee immediately following the end of the last complete biweekly pay period in the calendar year 1952, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, under the provisions of law then applicable to such officer or employee is in excess of the amount allowable under the applicable provisions of section 203, or

"(2) the amount of accumulated annual leave to the credit of an officer or employee who is subject to the provisions of section 203 (d) and who becomes subject to the provisions of section 203 (c) is in excess of the amount allowable under section 203 (c), such excess shall remain to the credit of such officer or employee until used, but the use during any leave year of an amount in excess of the aggregate amount which shall have accrued during such year shall automatically reduce the maximum allowable accumulation at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in the following leave year, until the accumulation of such officer or employee no longer exceeds the amount prescribed in the applicable provisions of section 203."

"Sec. 4. (a) The second and third sentences of the first section of the Act of December 21, 1944, are amended to read as follows: 'Such lump-sum payment shall equal the compensation that such officer or employee would have received had he remained in the service until the expiration of the period of such annual or vacation leave, except that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of thirty days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater. If such officer or employee is reemployed (other than in a position exempted from the Annual and Sick Leave Act of 1951 under section 202 (b) (1) (B), (C), or (H) of such Act) in the Federal service

or in or under the government of the District of Columbia prior to the expiration of the period covered by such leave payment, he shall refund to the employing agency an amount equal to the compensation covering the period between the date of reemployment and the expiration of such leave period. The leave represented by any such refund—

"(1) in the case of an officer or employee reemployed under the same leave system, shall be recredited to him in the employing agency in an amount equal to the amount represented by the refund;

"(2) in the case of an officer or employee reemployed under a different leave system, shall be recredited to him in the employing agency on an adjusted basis in accordance with regulations to be prescribed by the Civil Service Commission; and

"(3) in the case of an officer or employee reemployed in an office or position exempted from the Annual and Sick Leave Act of 1951 under section 202 (c) (1) of such Act, shall be deemed, upon separation from service, death, or transfer to another office or position in the Government service, to have remained to the credit of such officer or employee.

Any amounts so refunded shall be deposited in the Treasury to the credit of the employing agency. The lump-sum payment herein authorized shall not be regarded, except for purposes of taxation, as salary or compensation and shall not be subject to retirement deductions."

"(b) Section 205 of the Annual and Sick Leave Act of 1951 is amended by adding at the end thereof a new subsection to read as follows:

"(e) In the case of transfer of an officer or employee between positions under different leave systems (other than transfers involving positions exempted under section 202 (b) (1) (B), (C), or (H)), without a break in service, the annual and sick leave to the credit of such officer or employee shall be transferred to his credit in the employing agency on an adjusted basis in accordance with regulations to be prescribed by the Civil Service Commission."

"Sec. 5. Clause (6) of section 2 of the Act of August 3, 1950, is amended to read as follows: '(6) payment for all accumulated and current accrued annual or vacation leave equal to the compensation the decedent would have received had he remained in service until the expiration of the period of such annual or vacation leave, except that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of thirty days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater;'

"Sec. 6. The heads of the departments and agencies are authorized and directed to take such action as may be necessary to bring about reductions in the accumulated annual leave to the credit of officers and employees which is in excess of the amounts allowable under the applicable provisions of section 203 of the Annual and Sick Leave Act of 1951, as amended by this Act, within a reasonable period of years, consistent with the exigencies of the public business, and to make such reports with respect to the action taken as may be requested by the Civil Service Commission. The Civil Service Commission shall include in its annual report to the Congress a statement of the progress made in carrying out the purposes of this section.

"Sec. 7. (a) Section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, Eighty-second Congress), is repealed, effective as of June 29, 1953.

"(b) Sections 3 and 4 of the Act of December 21, 1944, are hereby repealed.

"Sec. 8. The first section and section 2 of this Act shall take effect on the first day of the first pay period which begins after the date of enactment of this Act."

And the Senate agree to the same.

EDWARD H. REES,
ROBERT J. CORBETT,
KATHARINE ST. GEORGE,
TOM MURRAY,
JAMES C. DAVIS,

Managers on the Part of the House.

FRANK CARLSON,
JAMES H. DUFF,
WILLIAM E. JENNER,
OLIN D. JOHNSTON,
MATTHEW M. NEELY,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause. The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment, and that the Senate agree to the same. The House bill, the Senate amendment, and the conference substitute are discussed below.

The first section of the House bill (1) exempts in all respects from the Annual and Sick Leave Act of 1951 those officers and employees in the executive branch of the Government (not including personnel of the Foreign Service of the United States) who are appointed either by the President alone, or by the President by and with the advice and consent of the Senate, and whose annual rates of basic compensation exceed the maximum annual rate contained in the General Schedule of the Classification Act of 1949, as amended, such maximum rate now being \$14,800, and (2) exempts from the Annual and Sick Leave Act of 1951, except with respect to section 203 (f) thereof relating to home leave, chiefs of mission in the Foreign Service of the United States who receive compensation at one of the annual salary rates authorized in section 411 of the Foreign Service Act of 1946, such rates now being \$25,000, \$20,000, \$17,500, and \$15,000.

In conformity with the definition of the term "chief of mission" contained in section 121 (9) of the Foreign Service Act of 1946, the chiefs of mission so exempted by the House bill are those principal officers appointed by the President, by and with the advice and consent of the Senate, to be in charge of an embassy, legation, or other diplomatic mission of the United States and those officers assigned by the President under authority of section 501 (b) of such Act to serve as minister resident, chargé d'affaires, commissioner, or diplomatic agent for such period as the public interest may require, who are receiving compensation at one of the above-mentioned rates prescribed under section 411 of such Act for the four classes of positions occupied by chiefs of mission. This exemption does not include Foreign Service officers authorized to act as chargés d'affaires ad interim.

By continuing to make section 203 (f) of the Annual and Sick Leave Act of 1951 applicable to chiefs of mission in the Foreign Service, the first section of the House bill preserves for such chiefs of mission the special leave of absence—known as "home leave"—which is now authorized by sec-

tion 203 (f) for officers and employees in the Foreign Service for use in the United States, its Territories and possessions. Section 203 (f) permits accumulation of such home leave without limitation but prohibits making any unused home leave the basis for any terminal leave or lump-sum payment.

The first section of the House bill also authorizes the President in his discretion to provide for leaves of absence with pay for any officers and employees (including chiefs of mission in the Foreign Service) who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the bill. It is provided (1) that such leaves of absence shall not constitute a leave system, (2) that any such leave of absence remaining unused shall not be made the basis for any lump-sum payment, and (3) that the authority of the President to grant such leaves of absence shall not affect the home leave which may be granted to chiefs of mission in the Foreign Service under section 203 (f) of the Annual and Sick Leave Act of 1951.

The first section of the Senate amendment exempts the following personnel of the executive branch from all provisions of the Annual and Sick Leave Act of 1951:

First, persons appointed either by the President by and with the advice and consent of the Senate, or by the President alone, whose annual rates of basic compensation exceed the maximum annual rate (at present \$14,800) contained in the General Schedule of the Classification Act of 1949, as amended. This exemption, which applies to approximately 225 persons, is in effect the same as the corresponding exemption contained in the first section of the House bill.

Second, persons who receive compensation at one of the annual salary rates (at present \$25,000, \$20,000, \$17,500, and \$15,000) authorized in section 411 of the Foreign Service Act of 1946. This exemption covers chiefs of mission in the Foreign Service of the United States (approximately 70 in number but not including chargés d'affaires ad interim) to the same extent as provided in the first section of the House bill and, in addition, covers all other persons comparable to chiefs of mission both in rank and pay. There are approximately 25 persons in this additional group, most of whom are in the Mutual Security Agency.

In addition to the foregoing exemptions, the first section of the Senate amendment exempts from the Annual and Sick Leave Act of 1951 such other officers in the executive branch (except postmasters, United States attorneys, and United States marshals) as the President may designate in his discretion. It is anticipated that approximately 100 officers will be exempted under this provision, including, for example, the Treasurer of the United States and United States members of international boundary and other commissions and organizations. This exemption is not contained in the House bill.

The purpose of both the House bill and the Senate amendment, in removing from the purview of the Annual and Sick Leave Act of 1951 the above-mentioned respective categories of high-ranking officials, is to prevent such officials in the future from earning and accumulating leave and receiving lump-sum payments for unused annual leave. The removal of such officials from the existing leave system is based on the theory that such officials are, by virtue of their respective offices and positions, actually on duty at all times, including periods of vacations or sickness. Moreover, since such officials now have complete freedom to absent themselves from duty as they see fit, it is incompatible with their offices and positions to make them subject to a leave system requiring the maintenance of attend-

ance and leave records and to allow them lump-sum payments for unused annual leave. Both the House bill and the Senate amendment terminate the present advantage which high-ranking officials now have over other officers and employees in being eligible to receive the benefits of a statutory leave system and, at the same time, being exempted, in effect, from the obligations of such leave system to the extent that by the nature of their offices and positions they have freedom to absent themselves from duty from time to time.

In addition, the first section of the Senate amendment amends section 202 of the Annual and Sick Leave Act of 1951 to provide that no officer in the executive branch to whom such Act applies "shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer". Such provision is not contained in the House bill. The purpose of such provision is to establish a standard under which it can be determined which officers in the executive branch are entitled to the compensation attached to their respective offices solely by virtue of their respective statuses as officers and which officers in the executive branch are not so entitled. Hereafter, under the standard proposed by the Senate amendment, officers exempted from the Annual and Sick Leave Act of 1951 will retain their freedom to absent themselves from duty on their own volition but will not receive statutory leave or lump-sum payments for unused annual leave. Those officers not exempted from such Act will lose their present freedom to absent themselves from duty as they see fit but will retain their right to statutory leave benefits and be subject to the laws and regulations governing hours of work, leave of absence, and related matters.

The first section of the Senate amendment also adds a provision to section 202 of the Annual and Sick Leave Act of 1951 which authorizes the President in his discretion to grant leaves of absence specifically for use in the United States, its Territories and possessions—"home leave"—to chiefs of mission in the Foreign Service and other officers comparable to chiefs of mission in rank and pay. A similar provision is not contained in the House bill for the reason that the first section thereof continues the applicability of section 203 (f) of the Annual and Sick Leave Act of 1951, relating to home leave, to Foreign Service personnel exempted in all other respects from such Act by the House bill. Since the Senate amendment exempts such chiefs of mission and other comparable officers from all provisions of the Annual and Sick Leave Act of 1951, this provision of the Senate amendment is necessary to provide authority for the payment under the Foreign Service Act of 1946 of travel expenses related to home leave to those chiefs of mission and other comparable officers who are granted home leave by the President.

The first section of the Senate amendment contains no provision comparable to subsection (c) of the first section of the House bill, authorizing the President to provide leaves of absence with pay for any officers and employees exempted as a result of the enactment of the House bill from the Annual and Sick Leave Act of 1951. Such provision is unnecessary in the Senate amendment in the light of the standard provided by the Senate amendment to determine which officers are entitled to the compensation attached to their respective offices solely by virtue of their respective statuses as officers.

The first section of the conference substitute is, in effect, the same as the first section of the Senate amendment except for the following changes:

First, the conference substitute contains language which makes it clear that officials of the government of the District of Columbia and of corporations wholly owned or

controlled by the United States are subject to the provisions of section 202 (c) of the Annual and Sick Leave Act of 1951 as contained in the first section of the conference substitute.

Second, the provision of the Senate amendment which exempts from the Annual and Sick Leave Act of 1951 chiefs of mission and other officers comparable to chiefs of mission in rank and pay who receive compensation "at one of the rates authorized in" section 411 of the Foreign Service Act of 1946 is changed to exempt chiefs of mission and other comparable officers who receive compensation "in accordance with" such section 411. The purpose of using the words "in accordance with" in lieu of the words "at one of the rates authorized in" is to make it clear that the officers so exempted who are comparable to chiefs of mission are only those officers who actually receive their compensation under authority of such section 411 and not those officers who receive compensation merely at rates which are equivalent to the rates prescribed in such section but which are paid under authority of some other provision of law.

Third, the provision of the Senate amendment which authorizes the President in his discretion to provide leaves of absence to chiefs of mission and other comparable officers for use in the United States, its Territories and possessions is qualified by additional language which provides that such leaves of absence so authorized shall not constitute a leave system and that any such leave of absence remaining unused shall not be made the basis for any lump-sum payment. This additional language, which is identical to the second sentence of subsection (c) of the first section of the House bill, is included in order to make it clear that, since the leaves of absence so authorized by the President are not statutory leaves of absence, they cannot, therefore, either constitute a leave system or be made the basis for any lump-sum leave payment.

Section 2 of the House bill contains provisions relating to the accumulated and current accrued annual and sick leave to which those officers and employees, who are exempted in whole or in part from the Annual and Sick Leave Act of 1951 as a result of the enactment of the House bill, are entitled immediately prior to their exemption from such Act.

Subsection (a) of section 2 prohibits the liquidation of such annual leave by lump-sum payment during the period of service of any person as an exempted officer or employee by providing that lump-sum payment for such annual leave shall be made only if, while he is within the class of such exempted officers and employees, he is separated from the service, dies, or is transferred out of his exempted position to a position under a leave system other than the leave system provided by the Annual and Sick Leave Act of 1951. Subsection (a) also provides that such lump-sum payment shall be at the rate of compensation which the exempted officer or employee was receiving immediately prior to his exemption from the Annual and Sick Leave of 1951.

Subsection (b) of section 2 provides that any such exempted officer or employee who, after the expiration of his period of exempted service again becomes subject to the Annual and Sick Leave Act of 1951 without any break in the continuity of his service, shall again be entitled to and be credited with the same amount of accumulated and current accrued annual and sick leave to which he was entitled immediately prior to the beginning of his period of exempted service, as if he had been continuously subject to the Annual and Sick Leave Act of 1951. Thereafter, any liquidation of such annual leave by lump-sum payment would be at the last rate of compensation which

he received immediately prior to such lump-sum payment.

Subsection (c) of section 2 provides that any such exempted officer or employee who is separated from his exempted position in order to enter upon active service in the Armed Forces of the United States is granted the right to receive compensation in a lump-sum covering the accumulated and current accrued annual leave to which he was entitled immediately prior to his exemption from the Annual and Sick Leave Act of 1951 as a result of the enactment of the House bill or the right to have such annual leave remain to his credit until his return from active service in the Armed Forces, as he may elect.

Subsections (a) and (b) of section 2 of the Senate amendment contain provisions with respect to those officers who are exempted from the Annual and Sick Leave Act of 1951 by the Senate amendment which are similar to those contained in subsections (a) and (b) of section 2 of the House bill with respect to those officers and employees who are exempted from such Act by the House bill.

Subsection (c) of section 2 of the Senate amendment contains provisions with respect to those officers who are exempted from the Annual and Sick Leave Act of 1951 by the Senate amendment which are similar to those contained in subsection (c) of section 2 of the House bill with respect to those officers and employees who are exempted from such Act by the House bill, with one exception. Such subsection (c) of the Senate amendment provides that any such exempted officer who is separated from his exempted position to enter upon active service in the merchant marine of the United States shall be entitled to the same benefits as any such exempted officer who is separated from his exempted position to enter upon active service in the Armed Forces of the United States.

Subsection (a) of section 2 of the conference substitute provides for the liquidation by lump-sum payment in accordance with the act of December 21, 1944, or the act of August 3, 1950, of the accumulated and current accrued annual leave to which any officer exempted from the Annual and Sick Leave Act of 1951 under the first section of the conference substitute is entitled immediately prior to the date such section becomes applicable to him. The act of December 21, 1944, provides for lump-sum payments to Government officers and employees for accumulated and current accrued annual leave due upon their separation from the service or transfer to agencies in different leave systems. The Act of August 3, 1950, provides for payment for accumulated and current accrued annual leave to survivors of deceased officers and employees. Since the act of December 21, 1944, and the act of August 3, 1950, are amended by sections 4 and 5 of the conference substitute with respect to officers and employees generally, the operation of such Acts with respect to exempted officers is discussed in connection with sections 4 and 5 of the conference substitute. Payment of such exempted officers, however, is to be at the same rate of compensation provided in the House bill and the Senate amendment, and is to be made without regard to the limitations imposed by the amendments made by such sections with respect to the amounts of leave compensable under such Acts. Payments to exempted officers for leave accrued prior to the date the conference substitute becomes applicable to them can only be made when one of the conditions of the Act of December 21, 1944, or the Act of August 3, 1950, is met.

Since under the conference substitute the accumulated and current accrued annual leave of an exempted officer remains in a

suspended status and the time of payment is contingent upon the happening of a future event, it is contemplated that payments for such leave will be made by the agency in which such officer is employed at the time of entitlement to payment and will be made from current appropriations for such agency.

Subsection (b) of section 2 of the conference substitute is, in effect, the same as subsection (b) of section 2 of both the House bill and the Senate amendment except that a change in language has been effected in order to make it clear that, during the period in which the entitlement of an exempted officer to lump-sum payment for accumulated annual leave is suspended, such officer does not lose his credit for annual and sick leave standing to his credit at the time he was exempted from the Annual and Sick Leave Act of 1951.

Subsections (a), (b), and (c) of section 3 of the Senate amendment amend sections 203 (c), 203 (d), and 208 (a) of the Annual and Sick Leave Act of 1951 to provide that the leave year for officers and employees subject to such Act shall commence and terminate early in January rather than in December just before Christmas, thus permitting the use of accumulated annual leave over the Christmas and New Year holidays, while maintaining the advantages of pay period accounting. This result is accomplished by changing the effective date of the maximum allowable leave accumulation from the end of the last complete biweekly pay period in the calendar year (for example, December 21 or 22) to the beginning of the first complete biweekly pay period in the calendar year (for example, January 6).

Subsections (a) and (b) of section 3 of the conference substitute amend section 203 (c) and (d) of the Annual and Sick Leave Act of 1951 in the following respects:

First, the same change is made in the beginning and termination of the leave year for officers and employees subject to the Annual and Sick Leave Act of 1951 as is made by section 3 (a) and (b) of the Senate amendment.

Second, the maximum allowable accumulation of annual leave of officers and employees stationed in the continental United States and officers and employees in the Foreign Service of the United States under the Department of State is reduced from 60 days to 30 days.

Third, the maximum allowable accumulation of annual leave of officers and employees stationed outside the continental United States (other than officers and employees in the Foreign Service of the United States) is reduced from 90 days to 45 days.

Subsection (c) of section 3 of the conference substitute amends section 208 (a) of the Annual and Sick Leave Act of 1951. Such section 208 (a), as so amended, contains the following provisions:

First, the same change is made in the beginning and termination of the leave year for officers and employees subject to the Annual and Sick Leave Act of 1951 as is made by section 3 (c) of the Senate amendment.

Second, in view of the reduction in leave accumulation limits, paragraph (1) of section 208 (a) provides that an officer or employee shall retain credit, until used, for accumulated annual leave standing to his credit immediately following the end of the last complete biweekly pay period in the calendar year 1952 (or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods) under the provisions of law applicable to such officer or employee at such time which is in excess of the amount of such annual leave allowed him under subsection (c) or (d) of section 203, as the case may be, as such subsections are amended by the conference substitute.

The House bill contains no provisions comparable to section 3 of the Senate amendment or section 3 of the conference substitute.

Section 4 of the Senate amendment provides that (1) no officer or employee (except an officer or employee stationed outside the continental United States) shall be paid for any terminal leave in excess of 60 days, and (2) if such officer or employee is reemployed by the United States before the expiration of the period for which he was paid terminal leave, he shall refund to the United States an amount covering the period of accumulated leave unused.

Section 4 (a) of the conference substitute amends the first section of the act of December 21, 1944, in the following respects:

First, the lump-sum payment for unused accumulated annual leave which is to be paid an officer or employee upon his separation from the service or, if he so elects, upon his entrance into the Armed Forces of the United States or the merchant marine of the United States, shall not, after August 31, 1953, exceed compensation for any period of such leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater.

Second, upon reemployment of such officer or employee (other than in a position exempted from the Annual and Sick Leave Act of 1951 under section 202 (b) (1) (B), (C), or (H), of such Act) prior to the expiration of the period covered by the leave payment, he is to refund to the employing agency an amount equal to the compensation covering the period between the date of reemployment and the expiration of such leave period.

Third, in the case of an officer or employee reemployed under the same leave system, the leave represented by such refund shall be recredited to him in the employing agency in an amount equal to the amount represented by the refund.

Fourth, in the case of an officer or employee reemployed under a different leave system, the leave represented by such refund shall be recredited to him in the employing agency on an adjusted basis pursuant to regulations prescribed by the Civil Service Commission.

Fifth, in the case of an officer or employee reemployed in an office or position exempted from the Annual and Sick Leave Act of 1951 under section 202 (c) (1) of such act, the leave represented by such refund shall be deemed to have remained to his credit upon his separation from service, death, or transfer to another office or position.

Sixth, any amounts so refunded are to be deposited in the Treasury to the credit of the employing agency. The present law provides that the amount so refunded shall be deposited in the Treasury as miscellaneous receipts. The crediting of the refund to the employing agency will enable such agency to pay the employee making the refund even though he is employed for only a short time.

Section 4 (b) of the conference substitute is made necessary by the repeal of section 3 of the act of December 21, 1944, by section 7 (b) of the conference substitute. Such section 3 provided that all accumulated and current accrued leave shall be liquidated by a lump-sum payment in case an officer or employee transfers to an agency under a different leave system. This practice has been widely criticized, and, therefore, the provision is repealed by the conference substitute. Section 4 (b) adds a subsection (e) to section 205 of the Annual and Sick Leave Act of 1951 to provide that the annual and sick leave to the credit of an officer or employee who transfers without a break in service between positions under different leave systems (none of which leave may hereafter be paid for) shall be transferred to his credit in the employing agency on an adjusted basis

pursuant to regulations prescribed by the Civil Service Commission.

Section 5 of the conference substitute amends section 2 of the act of August 3, 1950, which provides, in part, for the lump-sum payment for all accumulated and current accrued annual leave to survivors of deceased officers and employees in an amount equal to the compensation that the decedent would have received if he had remained in the service until the expiration of the period of such annual leave. Such amendment provides that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater. This amendment is in accord with the amendment made by section 4 (a) of the conference substitute to the first section of the act of December 21, 1944.

The House bill contains no provisions comparable to section 4 of the Senate amendment or sections 4 and 5 of the conference substitute.

Section 6 of the conference substitute requires the head of each department and agency to take such action as may be necessary to effect reductions in the accumulated annual leave which is to the credit of officers and employees therein who are subject to the Annual and Sick Leave Act of 1951 and which is in excess of the maximum allowable leave accumulations of 30 days and 45 days prescribed by section 203 (c) and (d) of such Act as amended by section 3 (a) and (b) of the conference substitute. Such reductions are to be effected within a reasonable period of years consistent with the exigencies of the public business. The head of each department and agency is required to make such reports to the Civil Service Commission with respect to the action taken by him for this purpose as the Commission may request. It is also provided that the Civil Service Commission shall include in its annual report to the Congress a statement of the progress made in carrying out the purposes of this section of the conference substitute.

The House bill and the Senate amendment contain no provisions comparable to section 6 of the conference substitute.

Section 6 of the Senate amendment repeals section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, 82d Cong.)—the Thomas leave rider—such repeal to be effective on the date of enactment of the Senate amendment. Such section 401 prohibits the use of funds of or available for expenditure by any corporation or agency of the Federal Government (including the government of the District of Columbia) for payment of annual leave which is accumulated by a civilian officer or employee during any calendar year beginning on or after January 1, 1952, and which is unused at the close of business on June 30 of the next succeeding calendar year. Such section 401 also requires the head of any such Government corporation or agency to provide an opportunity for officers and employees to use their accumulated annual leave prior to June 30 of such succeeding calendar year. Such section 401 does not apply with respect to (1) officers and employees whose posts of duty are outside the continental United States and (2) the payment of compensation for accumulated annual leave to officers and employees who leave their civilian positions in order to enter upon active military or naval service in the Armed Forces of the United States. The effect of such section 401 is to prevent the accumulation by officers and employees in the continental United States of annual leave accruing on and after January 1, 1952.

Section 7 (a) of the conference substitute repeals the Thomas leave rider in the same

manner as section 6 of the Senate amendment, except that such repeal is to be effective on June 29, 1953, in order to make it clear that officers and employees will not lose any annual leave through the operation of the Thomas leave rider, in the event that the conference substitute becomes law after the close of business on June 30, 1953.

The House bill contains no provisions comparable to section 6 of the Senate amendment or section 7 (a) of the conference substitute.

Section 7 (b) of the conference substitute repeals sections 3 and 4 of the act of December 21, 1944. The repeal of section 3 has been discussed in connection with section 4 (b) of the conference substitute. Section 4 of such act of December 21, 1944, provided that the first two sections of such act shall not apply to officers and employees of the Panama Canal and Panama Railroad on the Isthmus of Panama.

The House bill and the Senate amendment contain no provisions comparable to section 7 (b) of the conference substitute.

Section 3 of the House bill, section 5 of the Senate amendment, and sections 7 (a) and 8 of the conference substitute relate to effective dates. All provisions of the House bill take effect on the first day of the first pay period beginning after the date of enactment of the House bill. All provisions of the Senate amendment take effect at the same time as provided in the House bill, except that the Thomas leave rider is repealed upon enactment of the Senate amendment. Under the conference substitute: (1) the first section and section 2 take effect on the first day of the first pay period beginning after the date of enactment, and (2) all other provisions take effect upon enactment, except that section 7 (a), which repeals the Thomas leave rider, takes effect as of June 29, 1953.

EDWARD H. REES,
ROBERT J. CORBETT,
KATHARINE ST. GEORGE,
TOM MURRAY,
JAMES C. DAVIS,

Managers on the Part of the House.

LEGISLATIVE BRANCH AND JUDICIARY BRANCH APPROPRIATION BILL, 1954

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 291 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5805) making appropriations for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1954, and for other purposes, and all points of order against said bill or any provisions contained in said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I urge the adoption of House Resolution 291 making in order the consideration of H. R. 5805, a bill making appropri-

tions for the legislative branch and the judiciary branch for the fiscal year ending June 30, 1954, and for other purposes.

House Resolution 291 provides for an open rule, waiving points of order and allows 1 hour for general debate on the bill itself.

Specifically this bill provides the appropriations for the House of Representatives, the Architect of the Capitol and the Botanic Gardens, the Library of Congress, the Government Printing Office, and the Judiciary.

Mr. Speaker, I know of no one who is opposed to the rule and at this time I yield 30 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I yield myself 10 minutes.

(Mr. MADDEN asked and was given permission to include as a part of his remarks an Associated Press article appearing in the Washington Star; a letter from Chairman Chipfield, of the Foreign Affairs Committee; a letter from the Department of State signed by Thruston B. Morton; and a letter from Henry Cabot Lodge, Jr., Ambassador to the United Nations.)

KATYN REPORT TO UNITED NATIONS

Mr. MADDEN. Mr. Speaker, on January 9 of this year, I filed House Resolution 63, which asked the Congress to complete the work of the special Katyn Massacre Investigating Committee by carrying out the four recommendations unanimously set out in the committee's final report.

Each member of the special Katyn Forest Massacre Committee now serving in Congress filed a resolution similar to House Resolution 63. These resolutions were referred to the House Committee on Foreign Affairs.

Since January, I have made numerous requests of the Chairman of the House Foreign Affairs Committee to consider House Resolution 63. The Congress should be given an opportunity to carry out our recommendations to submit the committee's testimony, evidence, and final report to the United States delegates at the United Nations for whatever action they see fit to take.

On June 17, the Associated Press carried the following article, which was published in a great number of papers throughout the country:

KATYN FOREST ACTION PROPOSAL DROPPED

At the request of the State Department, the House Foreign Affairs Committee has decided to shelve a resolution asking the United Nations to start action against Russia for the 1941 mass murders in the Katyn Forest.

By a vote of 19 to 4, the committee has voted not to take up the resolution, introduced early this year by Representative MADDEN, Democrat, of Indiana.

Mr. MADDEN headed a special House committee in the last Congress that investigated the mass murder of an estimated 10,000 Polish officers in Poland's Katyn Forest. The committee blamed Russia for the atrocity. Russia has blamed the German Nazis.

Thruston B. Morton, Assistant Secretary of State, told the Foreign Affairs Committee in a letter that "no useful purpose would be served by further action by the Congress on this subject," and added that the work of the Madden committee would

continue to be "an extremely valuable part of the campaign of truth . . . to present to the world a vivid and accurate picture of Soviet tyranny."

After contacting a number of the members of the Foreign Affairs Committee, I am satisfied that the above article is not authentic or they have misquoted the chairman of the Foreign Affairs Committee regarding the so-called 19-to-4 vote of the committee in opposition to taking up House Resolution 63. There is no record in the files of the House Foreign Affairs Committee indicating that the question of considering the Katyn Forest resolution was at any time voted on by that committee.

In fact, a great majority of the House Foreign Affairs Committee are in favor of considering House Resolution 63 so that Congress can take final action on our final report.

As chairman of the Katyn committee, I have received numerous requests from persons and organizations not only in this country but in England and Europe, inquiring as to why action has not been taken by the Congress on the recommendations of the Katyn committee.

I know that the vast majority of the Members of the House of Representatives are very much in favor of the United States delegates to the United Nations presenting the testimony and report of our committee to all the delegates at the United Nations, including Mr. Vishinsky and the representatives of the satellite countries.

Our committee has, beyond all question of a doubt, recorded testimony and evidence which will, in the future, convince the minds of historians that the Soviet Communist leaders were guilty of one of the most barbarous massacres in all history in the Katyn Forest in the early part of 1940.

As chairman of the Katyn committee, I am again asking the chairman of the House Foreign Affairs Committee to give the members of his committee an opportunity to cast a record vote as to whether they are in favor of considering the recommendations of the Katyn committee at this session of Congress.

I also wish to incorporate with my remarks letters from the Honorable Robert B. Chipfield, chairman of the House Foreign Affairs Committee; the Honorable Henry Cabot Lodge, Jr., Ambassador to the United Nations, and Mr. Thruston B. Morton, the Assistant Secretary of State for Congressional Relations.

The Secretary of State in the last paragraph of his letter states that the first and second recommendations of the Katyn committee have already been substantially implemented by the State Department and that there would be no useful purpose in taking up the third and fourth recommendations of our committee at the present time. Secretary Dulles seems to think that the work of the Katyn committee has been and will continue to be an extremely valuable part of the campaign of truth being waged inside and outside the United Nations to present to the world a vivid and accurate picture of Soviet tyranny.

If the House Foreign Affairs Committee and the Congress follow through with our recommendations, the United States delegates to the United Nations can present our report to the other nations of the world for consideration at their next meeting. This action would again remind the people of the world, both outside and behind the Iron Curtain, of the barbarous massacre committed by the Kremlin leaders on the helpless nation of Poland in 1940.

Secretary Dulles should not be concerned regarding the legal status of our report, testimony, and recommendations when they come before the United Nations for consideration. The legal status of our report before the United Nations is a matter for that great international body to decide and the Secretary of State or the chairman of the House Foreign Affairs Committee should not relieve them of that duty.

The Congress of the United States very properly authorized the Special Committee To Investigate the Katyn Massacre. The members of the committee very dutifully and at great personal sacrifice carried out the wishes of the Congress. The work of our committee in the Congress will not be fully completed until the results of our findings have been presented to the United Nations organization for them to consider if they see fit to do so.

From the contacts by letters and otherwise that I have had with the membership of the House Foreign Affairs Committee, I can truthfully state that, as of now, a majority of that committee's membership will vote favorably to report House Resolution 63 for further consideration on the floor of the House.

The Members of the Congress are entitled to express themselves and to vote on House Resolution 63. I am satisfied that the Congress will recommend that our testimony, exhibits, and recommendations will be sent to the United States delegates at the United Nations with the hope that that body can see its way clear to present our findings to the delegates at their next meeting.

The Kremlin representatives at the United Nations should be given an opportunity to speak up regarding the avalanche of testimony our committee has recorded revealing the nation who was responsible for one of the most barbarous massacres in world history.

I again repeat, the legal status of our report and recommendations is one to be considered and adjudicated by that body and not by the Secretary of State or the Chairman of the House Foreign Affairs Committee.

Chairman CHIPFIELD, of the House Foreign Affairs Committee, in his letter to me of April 1, among other things, states:

Neither has the State Department or any official of the United Nations requested action.

Apparently right now the international picture is such that it is felt best not to disturb the situation.

I do, however, feel your committee did a splendid job.

It is indeed an extraordinary admission when the chairman of the House Foreign Affairs Committee depends upon

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 24, 1953
For actions of June 23, 1953
83rd-1st, No. 114

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HIGHLIGHTS: House passed wheat-for-Pakistan bill. House agreed to further conference on economic controls bill. Senate committee reported Army civil appropriation bill. Senate agreed to conference report on leave bill. Sen. Anderson introduced and discussed bill establishing 3-year cotton-quota base.

SENATE

1. PERSONNEL; LEAVE. Agreed to the conference report on H.R. 4654, to amend the Annual and Sick Leave Act of 1951. Sen. Carlson inserted his statement explaining the effect of this bill as agreed upon by the conferees. (p. 7266)
Sen. Johnston spoke on the need for leave benefits and severance protection for Federal employees, urging the adoption of a "positive and forthright program," and inserted a statement of the Government Employees' Council of AF of L, "Federal Workers Need Unemployment Insurance Now" (pp. 7295-96).
2. APPROPRIATIONS. The Appropriations Committee reported with amendments H.R. 5376, the Army civil functions appropriation bill for 1954 (S. Rept 456) (p. 7258). The "Daily Digest" states: "As approved, the bill would provide a total of \$473,762,900, an increase of \$57,371,300 over the House-passed figure of \$416,391,600" (p. D596).
3. SUBMERGED LANDS. Debated S. 1901, providing for U. S. jurisdiction over the submerged lands of the outer Continental Shelf (pp. 7296-98).
4. WHEAT; FOREIGN TRADE. The "Daily Digest" states that the Foreign Relations Committee announced subcommittee hearings for June 26, on Executive H. 83rd Congress (International Wheat Agreement) (p. D596).
5. RECIPROCAL TRADE. Sen. Humphrey said there is a need for a "broader, more lenient, more stable U.S. trade policy" and discussed the place of reciprocal trade in the economic and security pattern of the U.S. and its allies (pp. 7271-

95), and also discussed its effect on farm exports with Sens. Sparkman, Mansfield, and Douglas (pp. 7273-77).

6. NOMINATION of Arthur S. Flemming as Director of Office of Defense Mobilization was confirmed (p. 7299).

7. EXPENDITURES. Sen. Byrd inserted a report by the Joint Committee on Reduction of Nonessential Federal Expenditures, "Control of Collection and Use of Foreign Currencies by Federal Agencies," urging that normal budgetary, appropriation, and accounting controls be applied to foreign currencies collected by all Government agencies (pp. 7258-60).

8. RECLAMATION. Both Houses received a report by the Interior Department on the soil survey and land classification made of lands to be served by the Kennewick Division, Yakima Project, Wash. (pp. 7258, 7339-40).

HOUSE

9. FOREIGN AID. Passed, 310-75, with amendments H.R. 5659, providing for transfer of 1 million tons of price-support wheat to Pakistan (pp. 7302-33).

In addition to the committee amendments (p. 7326), an amendment by Rep. Weichel was agreed to, requiring transportation of at least half of the wheat in American-flag ships (pp. 7311-6).

Rejected the following amendments:

By Rep. Poage, to require Pakistan to pay the cost of ocean transportation of the wheat (pp. 7303-11).

By Rep. Bailey, 58-91, to require CCC to make available 1 ton of wheat, for every 100 tons sent to Pakistan, for distribution to needy areas in this country under the same conditions (pp. 7316-7).

By Rep. Bonner, 52-108, to require that wheat given to needy persons in Pakistan be labeled in containers as a free gift from the USA and distributed by a U.S. approved agency (pp. 7318-23).

By Rep. Fulton, 31-91, to require payment for the 300,000 reserve tons of wheat in strategic minerals and metals (pp. 7323-5).

By Rep. Jones (Mo.), 38-75, to use "wheat" throughout the bill in lieu of "commodities" and "supplies" (pp. 7325-6).

By Rep. Dorn (S. Car.), 51-91, to request supervision of Red Cross of distribution of the wheat in Pakistan (pp. 7326-7).

By Rep. Smith (Wis.), 65-110, to prevent sale by the Pakistan Government of any wheat furnished by this bill (pp. 7327-30).

By Rep. Jensen, to substitute 100,000 tons of corn meal for 100,000 tons of wheat (p. 7330).

By Rep. Curtis (Mo.), 52-123, to require congressional approval of programs and projects financed by counterpart funds derived from sale of wheat by Pakistan (p. 7331).

S. 2112, the Senate companion bill, was then amended to contain the text of H.R. 5659, and passed, after which the House bill was tabled (pp. 7332-3).

Received the State Department's report on the administration of the Yugoslav emergency relief assistance program from Dec. 16, 1952, through Mar. 15, 1953, (p. 7339).

Received Independent Calabrese Club (Paterson, N.J.) resolutions urging USDA to release surplus foods to starving people of the world (p. 7341).

Received a Federation of American Citizens of German Descent of Greater New York resolution "in behalf of the allotment, under the foreign aid program, of surplus food for free distribution among suffering people" (p. 7341).

EXEMPTION OF CERTAIN GOVERNMENT OFFICIALS FROM ANNUAL AND SICK LEAVE ACT OF 1951—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, at this time I should like to ask the distinguished Senator from Delaware if he will yield to me.

Mr. WILLIAMS. I yield.

Mr. KNOWLAND. Mr. President, there is at the desk a privileged matter—a conference report—which I am assured is noncontroversial. I have discussed the question of its consideration with both the Senate conferees and the ranking minority member of the committee and also the distinguished minority floor leader.

The conference report has come to us from the House of Representatives. It is on House bill 4654, which deals with exempting certain Government officials from the Annual and Sick Leave Act of 1951.

With that explanation, Mr. President, I move that the Senate now proceed to consider the report.

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4654) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. KNOWLAND. Perhaps at this time we may have a brief explanation of the report.

Mr. CARLSON. Mr. President, I shall be glad to explain the provisions of the report; or I shall be glad to submit, for printing in the RECORD, a statement on the report, if there is no request for an explanation.

The ACTING PRESIDENT pro tempore. Is an explanation desired? If not, and in the absence of objection, the statement will be printed in the RECORD.

Mr. CARLSON's statement is as follows:

STATEMENT BY SENATOR CARLSON

As agreed upon by the conferees, H. R. 4654 does the following:

Section 1 removes the 400 to 500 top officials of the Government from the 1951 Leave Act. By terminating their future right to annual leave, they automatically lose any rights to lump-sum payments arising out of periods of service in the future. Additionally section 1 settles two basic problems: First, officers who are exempted from the 1951 Leave Act retain their personal freedom to absent themselves from duty but they lose the unwarranted added right to leave and payment therefor upon separation and, second, officers who are not exempted lose their present freedom with respect to hours of work but retain their statutory rights to leave and lump-sum payments for any such unused leave, within the limits established, upon their separation from the service.

Section 2 deals with the accumulated and accrued unused annual leave now standing to the credit of many of the four to five hundred top officials being taken out from under the 1951 Leave Act. This section provides in effect that all such leave be placed in a frozen state until (A) the officer leaves

the Federal service in which case it will be paid for at the rate of pay he was receiving when his leave was frozen or (B) he leaves his position as an exempted officer to serve in a nonexempt position in which event his frozen leave will be recredited to him for subsequent use.

Section 3 reduces the accumulation limit on annual leave from 60 to 30 days for employees in the United States and in the Foreign Service of the Department of State and from 90 to 45 days for other employees overseas. Foreign Service employees of the Department of State are treated the same as employees in this country because they receive a special home leave allowance not enjoyed by other employees overseas. Employees who, at the beginning of the current leave year, had accumulations in excess of these new 30 and 45 days limits are permitted to retain the excess for later use in kind or as the basis for a lump-sum payment in the event of death or separation.

Section 4 amends the act of December 21, 1944, so that lump-sum payments will no longer be possible in the case of an employee transferring from a position under one leave system to a position under a different leave system. Further, it amends the act of 1944 to require a refund from an employee who has received a lump-sum payment and is reemployed—under the same or different leave system—before expiration of the period covered by the lump-sum payment. Additionally, it amends the 1944 act to limit lump-sum payments to an amount covering a period of not in excess of 30 days except in the case of (a) officials being taken out from under the 1951 leave act who had more than 30 days' unused leave to their credit at the time of their exemption, and (b) employees who had more than 30 days' unused leave to their credit at the beginning of the current leave year. In these two instances the excess leave remains to the employee's credit for use in kind or as the basis for a lump-sum payment in the event of separation.

Section 5 amends the act of August 3, 1950, to establish the same limits on lump-sum payments to the estate of employees who die in the service with unused leave to their credit as established under section 4 in the case of employees who are separated.

Section 6 directs the heads of departments and agencies to take positive action toward reducing the backlog of leave standing to the credit of employees. This section requires the Civil Service Commission to include in its annual report to Congress a statement of the progress made in this respect.

Section 7 repeals section 401 of the Independent Offices Appropriation Act, 1953.

Section 8 establishes the effective date.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. JOHNSTON of South Carolina. Mr. President, inasmuch as I am one of the conferees, I wish to state to the Senate that the conference report is not exactly what the Senate wished to have provided in the case of this measure, but the report is a great deal better than we anticipated at one time.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. I wish to state that the distinguished Senator from South Carolina was very helpful in working out the conference report. As he has stated, although we were not entirely happy about the result, nevertheless the report

does constitute a solution of a very difficult problem.

Mr. JOHNSTON of South Carolina. Yes; and the solution is agreeable to both the House conferees and the Senate conferees.

Mr. President, I urge the adoption of the report.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

(For text of report, see p. 7214 of the House proceedings in CONGRESSIONAL RECORD of June 22, 1953.)

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, will the Senator from Delaware yield, to permit me to make a unanimous-consent request?

Mr. WILLIAMS. I yield.

Mr. KNOWLAND. Mr. President, there is only one new report on the Executive Calendar. In order to expedite the handling of executive business—and let me say I have discussed this matter with the minority leader—I now ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the new report.

Mr. JOHNSON of Texas. Mr. President, we have no objection to the requested procedure.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. TOBEY, from the Committee on Interstate and Foreign Commerce:

Louis S. Rothschild, of Missouri, to be a member of the Federal Maritime Board, vice Adm. Edward L. Cochrane, resigned.

By Mr. WILEY, from the Committee on Foreign Relations:

L. Corrin Strong, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary to Norway;

M. Robert Guggenheim, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary to Portugal;

James S. Kemper, of Illinois, to be Ambassador Extraordinary and Plenipotentiary to Brazil; and

John C. Baker, of Ohio, to be the representative of the United States of America to the 16th session of the Economic and Social Council of the United Nations.

By Mr. HENDRICKSON, from the Committee on the Judiciary:

William F. Tompkins, of New Jersey, to be United States attorney for the district of New Jersey, vice Grover C. Richman, resigning.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the new report on the Executive Calendar.

OFFICE OF DEFENSE MOBILIZATION

The legislative clerk read the nomination of Arthur S. Flemming, of Ohio, to

from their small farms and their hunting parties to beat back the invaders.

Still another constant threat came from the Huns and other Germanic tribes to the west. These attacks, too, were repulsed and with each battle the Lithuanians came closer to establishing a national government.

This strange tribe, which remained apart from the Teuton and Scandinavian, the Finn and the Slav, were a song-loving people with a highly developed culture from earliest days. Their folksongs, known as Dainos, are rich in historical material, and their earliest burial pits have yielded finds of iron knives, chisels, sickles, spears, swords, bronze bridles, spurs, bracelets, buckles, clasps, glass beads, and gold and silver ornaments.

Along with most of Europe in the first centuries after the birth of Christ, the Lithuanians worshiped a pagan mythology; Perkunas, god of thunder and lightning; Zemininkas, god of the earth; Patela, god of the underworld; Gabija, god of fire; Bangputys, god of the four winds; Vieshpats, god of life; and a host of others. The pagan priests were known as Vaidilas who were aided by vestal virgins called Vaidilutes.

Throughout these early centuries the Lithuanians were governed by the clan and tribal patriarchs, with the various tribes rallying to defend jointly their land whenever danger threatened from without.

Gradually this loose form of government tightened under the pressure of enemy attacks. The tribal heads took the title of duke, although all of the adult males of each tribe apparently had a voice in the selection of the leader.

While the Lithuanians asked only to be left alone in their land of plenty, by the year A. D. 1200 it was apparent their powerful neighbors—the Teutons and the Russians—were intent on conquest. To meet this crisis arose one of the tribal dukes, Mindaugas.

THEN KING MINDAUGAS

A powerful man who was a diplomat, statesman, and military genius, Mindaugas succeeded in gathering the other Lithuanian dukes under his banner.

He, his wife, Martha, and their 2 sons were baptized in the Christian faith in A. D. 1251, and 2 years later in the summer of 1253—700 years ago—he was crowned King of Lithuania by Bishop Henry of Colonia.

For nearly 300 years the fierce legions of Lithuania held the balance of power in eastern Europe, a period known as the golden age of Lithuanian history. Lithuanian power extended through all of Poland, deep into Germany, and beyond Moscow in Russia.

With the death of King Vytautas in A. D. 1430, the Lithuanian Government weakened. The Polish throne was given up in A. D. 1572, and in 1795 the country was overwhelmed by the legions of Russia.

Historians record that freedom was never very far below the surface in any Lithuanian. Caught in mighty tides of diplomatic intrigue, Napoleonic wars, and the oppression of the czars, the Lithuanians refused to accept their conquerors.

FREEDOM SMOLDERED

In 1812, 1831, 1863, and again in 1904–05, the Lithuanians revolted. Each time they were overwhelmed but each time the fury of their fighting won them some concessions from the Russians.

Shortly before 1800 they founded the University at Vilnius, the capital city, a center of learning which was to become famous throughout Europe. Despite Russian edicts the language and culture was kept intact, waiting for the time the Lithuanians knew would come: The time of freedom.

In 1918 on the heels of World War I the moment came. Lithuania was again free—free to form her own government and take her place in the family of nations.

FREEDOM BLAZED

The Lithuanians with the example of the United States of America before them chose to form an independent republic with three divisions—legislative, executive, and judicial, with a constitution as the supreme law. The preamble read:

"In the name of Almighty God, the Lithuanian people, thankfully recalling the glorious efforts and noble sacrifices of its sons, made to deliver the motherland, having recreated its state independence and desiring to extend the firm democratic foundations of its independent life, to develop conditions of justice and equity, to guarantee the equality, freedom, and well-being of all citizens, and suitable state protection for human labor and morality, through its authorized representatives, convened in the constituent assembly August 1, 1922, has adopted the following constitution of the Lithuanian Republic."

The time in which to work was short, but the Lithuanians, unaware that a Second World War was to again submerge their nation, drove ahead with their task.

By 1937 this nation of 3½ million people had increased its primary schools from 877 at the time of freedom to 2,696; and they had built 100 secondary schools (including 2 years of college) for more than 20,000 youngsters. There was the great University of Vytautas at Kaunas for 4,000 advanced students. There were special schools for music, art, and ballet.

Industry and commerce flourished. The great majority of the people owned their own homes and farms. Virtually every city of more than 5,000 population supported an opera season during which the world's great operas—many of them translated into Lithuanian—were given.

Today Lithuania is again ruled by a conqueror, absorbed by the U. S. S. R., cut off from the Western World by the Iron Curtain, with her fate as uncertain as that of a pawn on a chessboard.

TODAY

Soviet troops seized control of the small republic on June 14–15, 1940. The German war machine rolled over her from 1941 to 1944, when the Russians again entered.

The western countries, including the United States, have not recognized the Russian annexation of Lithuania. As a republic, Lithuania lives only in the art and music of her sons, in the hearts of freemen everywhere who know, in the words of Herbert Spencer, "No one can be perfectly free till all are free."

MILITARY LAW—EXCERPT FROM ARTICLE BY PROF. JAMES V. THORNTON

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the first paragraph of an article entitled "Military Law," written by Prof. James V. Thornton, of New York University School of Law, and first printed in the 1952 Annual Survey of American Law. It is complimentary of the administration and the Justices of the United States Court of Military Appeals.

The whole article by Mr. Thornton will, I know, be of interest to the Members of the Senate; and I hope the paragraph I am inserting in the RECORD will whet their appetite for more.

There being no objection, the excerpt from the article was ordered to be printed in the RECORD, as follows:

MILITARY LAW

(By James V. Thornton)

Preliminary evaluation can now be made of the revised military law system brought into being by the Uniform Code of Military Justice, which became effective May 31, 1951. The newly established Court of Military Appeals, the "supreme court" of the revised system, has done a thoroughly commendable job. The court seems determined to equate military and civilian justice as far as possible. Time after time its opinions refer to this as the objective of the Code, and cite Federal and State civilian decisions as authorities. On numerous occasions it has reversed for prejudicial error, even in the absence of record objection by defense counsel, something which is relatively rare in civilian criminal courts. On the other hand, it has wisely refused to place undue emphasis on technical errors, and has declined to reverse in the absence of prejudice. One is impressed also with the combined scholarly and practical character of the court's opinions. Their high caliber is particularly remarkable since the court has only three members and disposes of a tremendous volume of litigation. In a little more than a year this bench has demonstrated that it deserves to be ranked with the elite of Federal and State appellate tribunals.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. By unanimous-consent agreement entered into on yesterday, the Senator from Minnesota [Mr. HUMPHREY] is to have the floor at the conclusion of morning business.

Mr. KNOWLAND. Mr. President—

The ACTING PRESIDENT pro tempore. In the absence of the Senator from Minnesota, the Senator from California is recognized.

Mr. KNOWLAND. Mr. President, my purpose in rising at this time is to refer to the unanimous-consent agreement entered into yesterday by which it was agreed that the Senator from Minnesota [Mr. HUMPHREY] would have the floor today, following the conclusion of the morning hour.

I understand that the Senator from Delaware [Mr. WILLIAMS] has discussed with the Senator from Minnesota the possibility of working out an arrangement by means of which the Senator from Delaware may speak at this time. Such an arrangement is agreeable to the Senator from Minnesota, I understand.

I have discussed this matter with the distinguished minority leader.

I now ask unanimous consent that the previous unanimous-consent agreement be modified to the extent that the Senator from Delaware [Mr. WILLIAMS] may now be permitted to speak, and that thereafter the original unanimous-consent agreement may take effect.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WILLIAMS obtained the floor.

packed in much the same way that President Roosevelt sought to pack the Supreme Court in 1938.

It might, of course, be said that some progress has been achieved through the agreement to drop the provisions severely curbing the President's powers to negotiate new concessions and to exercise fully his judgment on cases involving relief for domestic producers. But this gain is deprived of significance by the administration's promise to refrain from using these powers for the next year, at least as they relate to new tariff reductions.

There remains only one real gain for the foreign trade community. That is in the decision to drop the new protectionist measures proposed by Representative SIMPSON, including the curbs on imports of oil and certain metals. Is this worth the price of a packed Tariff Commission? Unless the means of increasing the number of Commission members are changed, we doubt it.

What reason is there for increasing the number of commissioners from 6 to 7?

A valid reason certainly can be found for increasing the Commission's personnel. Its staff at present is admittedly inadequate to the tasks and responsibilities that beset it. Ironically, the size of this staff was reduced in the postwar years just as its workload began to increase in earnest. The Commission, always a small agency, has less than 200 employes today, as against 239 in 1949. It is no longer able to provide the wealth of statistical information on commodities moving in foreign trade that it formerly made available.

It is, indeed, barely able to keep abreast of the cases on its docket.

There are a number of reasons for this. One is the unwise provision in the Tariff Law that requires the Commission to undertake a full dress investigation of each and every complaint of injury filed by domestic producers, whether the Commission thinks the complaints justified or not. This compels the Commission to waste much valuable time on complaints that are plainly invalid and cannot be substantiated by any real evidence.

The other is the progressive reduction in appropriations by Congress. Part of the blame here rests squarely on the Truman administration for its failure to fight for adequate funds. Part rests with Congress, which has reduced the Commission's effectiveness in the name of economy.

But it is one thing to increase the Commission's staff and quite another to increase the number of Commissioners from an even to an odd number.

There was a good reason for setting the number of Commissioners at 6, rather than at 5 or 7, and Representative SIMPSON is as aware of it as anyone else. The reason was to establish a truly bipartisan Commission, divided equally between Republicans and Democrats. Only from such a group, it was reasoned, could unbiased information and nonpolitical decisions be obtained.

If the number of Commissioners is now raised to seven, the Tariff Commission can be made to reflect the opinions of the majority party, which could mean of the Democratic Party in a future administration as well as of the Republican Party today. Do the Republicans really want this? We would think not.

But what other motive can possibly be ascribed to this compromise? If the need is for more Commissioners, why not 8 of them evenly divided between the 2 parties? Or 10? Or even 12? And if this need is urgent, why not an appointment to fill the vacancy that has existed on the Commission ever since President Eisenhower was inaugurated? And why not a move to increase the Commission's working staff, where personnel is needed most?

If the compromise had followed these lines, we could believe in the sincerity of the motives of Mr. SIMPSON and his associates. As it is, this is most difficult.

The President, and those in Congress who subscribe to his views on the need for a less restrictive foreign-trade policy, would do well to consider carefully this one thought: It is not only the United States tariff that acts as a deterrent to trade. It is the vast degree of uncertainty and apprehension abroad as to the actual direction of United States foreign economic policy. It is not so much what is happening now, as what may happen next.

To shift now from a bipartisan to a political or near-political Tariff Commission would greatly increase these apprehensions and add one more discouragement to overseas producers who, given any reasonable chance of success, are courageous enough to have a try at the American market. This is likely to be the case even if the President fills the remaining vacancies with the best of appointments. And it would be all the more regrettable for this reason.

ORDER FOR RECESS

During the delivery of Mr. HUMPHREY's speech,

Mr. KNOWLAND. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. HUMPHREY. I yield.

Mr. KNOWLAND. I ask unanimous consent that when the Senate completes its business this evening it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MODERNIZATION OF CHARTER OF WASHINGTON GAS LIGHT CO.

During the delivery of Mr. HUMPHREY's speech,

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The Chair lays before the Senate the amendment of the House of Representatives to the bill (S. 2032) to modernize the charter of Washington Gas Light Co., and for other purposes, which is on page 3, line 8, to strike out "Sec. —. The" and insert "Sec. 12. The."

The Chair will take the liberty of saying that the amendment is merely a perfecting amendment, to correct a printer's error. That is all it does. Without objection, the amendment of the House will be concurred in. The Chair hears no objection.

AMENDMENT OF SECTION 32 OF DISTRICT OF COLUMBIA FIRE AND CASUALTY ACT

During the delivery of Mr. HUMPHREY's speech,

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1839) to amend section 32 of the Fire and Casualty Act, so as to provide that an agent or solicitor may secure a license to solicit accident and health insurance in the District of Columbia under that act without taking the prescribed examination, if he is licensed under the Life In-

surance Act, which was, on page 2, after line 4, insert:

SEC. 2. Section 2 of such act, as amended (D. C. Code, 1951 ed., sec. 35-1303), is amended by striking therefrom the definition of the word "superintendent" and inserting in lieu thereof the following: "'Superintendent' means the Superintendent of Insurance of the District of Columbia, or the officer or officers, agency or agencies succeeding to his functions under Reorganization Plan No. 5 of 1952."

Mr. CASE. Mr. President, I move that the Senate concur in the House amendment.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. KNOWLAND. I have just returned from the Appropriations Committee. Has this matter been taken up with the minority?

Mr. CASE. The clerk advises me that it has. All the amendment does is to define the word "superintendent."

Mr. KNOWLAND. Is it purely a clerical amendment?

Mr. CASE. It is practically only a clerical amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to.

LEAVE BENEFITS AND SEVERANCE PROTECTION FOR FEDERAL EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, the time has come when the Congress of the United States must stop "dilly-dallying" with leave policies and adopt a positive and forthright program of leave benefits and severance protection for our Federal employees. The present leave system has "just growed like Topsy" and has so confused our Federal workers and the public generally that the once wide-attraction that leave benefits had in recruiting and holding employees in the Government service has been reduced to a liability to be overcome.

Senators will recall that last January 7 I introduced a bill, S. 189, entitled "A bill to provide severance pay to certain officers and employees of the Federal Government." I hope that the proposed legislation will be enacted at this session. With thousands of Federal employees losing their jobs with the closing of emergency agencies, and with the cut-back in defense expenditures, we in Congress must provide some protection to those fine people who have served their Government. The proposal I introduced would provide severance pay in the amount of 1 day's compensation for each month of active Federal service under certain conditions.

Mr. President, this legislation is essential to the welfare and security of Federal employees. They are now in a position of far less security than are workers for private employers. Federal employees are not entitled to unemployment insurance, nor do they receive separation pay as do employees in private industry. Neither are their leave bene-

fits sufficient to provide a cushion against abrupt layoffs.

We in Congress might as well recognize the fact that the Government is rapidly finding it more difficult to recruit and retain the type of personnel needed to perform Federal functions efficiently and economically. The "shifting" leave policies and the failure to provide severance pay and protection are widely to blame. Many of the workers who are on the Federal rolls today will actually suffer upon separation by lack of severance pay. In this respect, we are years behind private industry.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by the Government Employees' Council of the American Federation of Labor entitled "Federal Workers Need Unemployment Insurance Now," and I recommend that all Members of the Senate study it. Indeed, I hope that their study of this statement will provide the interest we need in order to formulate and develop a comprehensive leave system and severance pay policy for Federal employees.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

**FEDERAL WORKERS NEED UNEMPLOYMENT
INSURANCE NOW**

The Government Employees' Council of the American Federation of Labor has repeatedly gone on record in favor of unemployment insurance for Federal employees. Representatives of the council and its affiliated organizations have testified at hearings of the House Ways and Means Committee and have contacted individual Representatives and Senators in support of legislation covering Federal workers under State unemployment insurance laws. We have maintained that Federal Government employees have the same need for unemployment insurance as workers in private industry; that Uncle Sam should provide unemployment insurance protection for his own employees just as he requires private employers to do for their workers. Our position has been clear and emphatic on unemployment insurance for Federal workers.

If there was ever a time when Congress should pass legislation extending coverage to Federal employees under the existing State unemployment insurance laws, that time is here and now. Between January 1 and April 30, 1953, there was a decrease in Federal employment in continental United States (excludes Alaska and Canal Zone) of 54,000, of which 31,000, or nearly 60 percent, were wage-board employees, i. e., mechanics, such as electricians, machinists, etc., helpers, and laborers. On every hand there is striking evidence of further declines in May and June, and especially for the coming fiscal year of July 1, 1953-June 30, 1954. Congressional cuts in appropriations for the fiscal year of 1954 mean sharp cuts in Federal employment of white-collar workers, as well as blue-collar employees in navy yards, arsenals, and Air Force installations.

In previous years, workers separated from Federal jobs could depend upon their accrued annual leave, or upon withdrawals from the United States civil-service retirement fund, while looking for work. Today, however, Federal employees, as a result of the Whitten and Thomas riders, and the graduated scale of annual leave, have little to fall back on when they are separated from Federal employment. Because of the Whitten rider and an Executive order Federal employees who have been hired or rehired since September 30, 1950, have indefinite appointments and are covered under the Social Security Act

amendments of 1950. Payments made under this act cannot be withdrawn by separated employees. Under the Thomas rider, Federal employees have had to use up all their annual leave of a calendar year before June 30 of the following year. Consequently, when they lose their jobs, they have little, if any, accrued annual leave. Finally, as a result of the graduated scale of annual leave, only those with 15 or more years of service receive 26 days of annual leave, as was the case formerly for all Federal employees. Those with 3 to 15 years of service now get 20 days, while those with less than 3 years of service are entitled only to 13 days of annual leave. Hence, even if the Thomas rider should be abolished, employees with less than 3 years of service will still have little chance to accumulate any leave.

It is because a great many Federal workers have now practically nothing to fall back on when they lose their jobs that the Congress should pass legislation at this session extending coverage to Federal employees under State unemployment insurance laws. The Congress should do this at the same time that it is making drastic cuts in the appropriations for Federal agencies.

Unemployment insurance is rightly regarded as one of the first and main defenses against a depression. The truce in Korea will cause readjustments in our economy. Unemployment insurance can be relied upon to smooth that readjustment for the unemployed worker, the community in which he lives, and the businesses dependent upon his purchasing power. Unemployment insurance is sound in a period of readjustment in private industry; it is also just as sound in a period of retrenchment in the case of the Federal Government. Unemployed Federal workers are entitled to the same consideration as those in private industry when deprived of their livelihood through no fault of their own. The communities in which Federal workers live and the businesses dependent upon their purchasing power are equally entitled to consideration. If unemployment insurance is sound for workers in private industry, it is equally sound for workers for the Federal Government.

**JURISDICTION OVER SUBMERGED
LANDS OF THE OUTER CONTI-
NENTAL SHELF**

The Senate resumed the consideration of the bill (S. 1901) to provide for the jurisdiction of the United States over the submerged lands of the outer Continental Shelf, and to authorize the Secretary of the Interior to lease such lands for certain purposes.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEALL in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORDON. Mr. President, I believe it would be helpful in the consideration of the pending measure, in connection with which there are some eighty-odd amendments, most of them perfecting or clarifying in character, if the bill, as proposed by the committee to be amended, might be considered as the original text of the bill, and so be subject

to amendment without having any question raised as to the degree of amendment. I therefore ask unanimous consent that the bill as proposed to be amended, and as reported from the committee, may be considered as the original text of the bill for purposes of amendment and final passage.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HENDRICKSON. Mr. President, on behalf of the Senator from South Dakota [Mr. CASE] and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Jersey on behalf of himself and the Senator from South Dakota will be stated.

The CHIEF CLERK. On page 25, beginning with line 20, it is proposed to strike out all through line 25 and insert in lieu thereof the following:

SEC. 9. Disposition of revenues: (a) All rentals, royalties, and other sums paid under any lease on the outer Continental Shelf for the period from June 5, 1950, to date, and thereafter shall be deposited by the Secretary and the Secretary of the Navy in the Treasury of the United States. Such rentals, royalties, and other sums received during the present national emergency shall be held in a special account in the Treasury, and until the Congress provides otherwise, shall be used, except for the payment of refunds under the provisions of section 10 of this act, only for such urgent developments essential to the national defense and national security as the Congress may determine.

(b) Except for amounts paid out as refunds under the provisions of section 10 of this act such rentals, royalties, and other sums received after the termination of such national emergency shall be paid by the Secretary of the Treasury within 90 days after the termination of the fiscal year in which received, to the several States and Territories of the United States and the District of Columbia in an amount to each such State and Territory and the District of Columbia which bears the same ratio to the total of such rentals, royalties, and other sums received during such year (less the total of such refunds during such year) as the total number of individuals enrolled in the schools in such State or Territory or the District of Columbia according to the latest Federal census bears to the total number of individuals enrolled in the schools in all such States and Territories and the District of Columbia according to such census. Payments received under the provisions of this section shall be used by such States and Territories and the District of Columbia solely for the purposes of primary, secondary, and higher education.

On page 26, lines 11 and 12 it is proposed to strike out "any moneys not otherwise appropriated" and insert in lieu thereof "money paid into the Treasury under the provisions of section 9 of this act."

Mr. HENDRICKSON. Mr. President, my remarks this afternoon will be addressed to the amendment which has just been read by the clerk. As is well known, it is proposed to Senate bill 1901, the so-called outer Continental Shelf bill. I am happy to say that the junior Senator from South Dakota [Mr. CASE] has joined me in offering the amendment.

BILLS INTRODUCED - June 26

- PUBLIC LANDS. S. 2225, by Sen. Cordon, and H. R. 5958, by Rep. Ellsworth, "relating to the administrative jurisdiction of certain public lands in the State of Oregon"; to Interior and Insular Affairs Committees (pp. 7583, 7628).
- FOREIGN AID. H. R. 5954, by Rep. Judd, to authorize CCC to transfer certain surplus commodities to MSA for sale to countries participating in the mutual security program; to Agriculture Committee (p. 7628).

HOUSE - June 27

- TAXATION. The Rules Committee reported a resolution for consideration of H. R. 5899, to continue the excess-profits tax until Dec. 31, 1953 (p. 7707).
- TEMPORARY APPROPRIATIONS. Passed with amendment H. J. Res. 287, making temporary appropriations for the fiscal year 1954, which had been reported without amendment earlier in the day (pp. 7719, 7753-4)(H. Rept. 681). Chairman Taber said: "...this is a joint resolution introduced for the purpose of providing appropriations which it has not been possible to enact into a law to keep the Departments and Agencies of the Government in operation for the month of July. We have provided that the lower amount adopted by either body shall govern where there is a difference, and both Houses have passed the bill. We have provided that where a bill has only passed one body, that the amount that the House has provided, the lower amount of the House provision or the budget, should govern. We have prohibited embarking upon new projects unless they are included in both bills."
- DEFENSE APPROPRIATIONS. The Appropriations Committee reported without amendment H. R. 5969, the Defense Department appropriation bill for 1954 (H. Rept. 680) (p. 7719).
- COMPTROLLER GENERAL. The Government Operations Committee reported with amendment H. R. 5228, to amend Sec. 303 of the Budget and Accounting Act relating to the term of office of the Comptroller General (H. Rept. 684)(p. 7761).
- FARM LOANS. Passed without amendment H. R. 5456, to extend to June 30, 1954, the direct home and farmhouse loan authority of the Veterans' Administration under title III of the Servicemen's Readjustment Act and to authorize increased interest rates on such loans (pp. 7719-20, 7729-30).
- Passed with amendment S. 1993, to amend the National Housing Act and the Servicemen's Readjustment Act with respect to maximum interest rates, authorizing increases from 4% to 4½% (pp. 7733-4).
- PERSONNEL LEAVE. Agreed to, 269-65, the conference report on H. R. 4654, to repeal the Thomas leave rider and amend the Annual and Sick Leave Act (pp. 7720-9). This bill will now be sent to the President.
- WEATHER RESEARCH. Laid on the table H. Res. 283, directing the Commerce Department to furnish information about the effect of atomic explosions on the weather (pp. 7729, 7731). The resolution had been reported adversely earlier in the day (p. 7761). This action was taken because the information had been furnished.
- INTERGOVERNMENTAL RELATIONS. Agreed to the Senate amendment to the House amendment to S. 1514, to establish a Commission on Intergovernmental Relations (p. 7731). This bill will now be sent to the President.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 29, 1953
For actions of June 26 and 27, 1953
83rd-1st, Nos. 117 and 118

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HIGHLIGHTS: Senate passed bills on Interior appropriations, Commission on Organization, and Army flood control. House passed temporary appropriations measure, and Senate committee reported it. House took final legislative action on leave and intergovernmental-relations bills. House passed farm-loans bills. Senate committee reported trade-agreements bill. House committee reported Alaska statehood bill.

SENATE - June 26

1. **APPROPRIATIONS.** Passed with amendments H. R. 4828, the Interior Department appropriation bill for 1954 (pp. 7575-82). Senate conferees were appointed (p. 7581). Began debate on H. R. 5376, the Army civil functions appropriation bill for 1954 (p. 7583).
2. **TRADE AGREEMENTS.** The Finance Committee reported with amendments H. R. 5495, to extend and amend the Reciprocal Trade Agreements Act (S. Rept. 472)(p. 7583).

HOUSE - June 26

3. **EMERGENCY POWERS.** Passed without amendment H. J. Res. 285, to continue certain emergency powers from July 1 to Aug. 1, 1953, which had been reported earlier in the day without amendment by the Judiciary Committee (H. Rept. 679)(pp. 7587, 7627).
4. **ALASKA STATEHOOD.** The Interior and Insular Affairs Committee reported with amendment H. R. 2952, to provide for Alaska statehood (H. Rept. 675)(p. 7627).
5. **WEATHER RESEARCH.** The Armed Services Committee reported without amendment H. Res. 280, directing the Federal Civil Defense Administration to report on the effect of atomic explosions on the weather (H. Rept. 641)(p. 7627).
6. **HANDICAPPED PERSONS.** Rep. Perkins spoke in favor of a Federal Agency for Handicapped (p. 7588).

Multer	Reed, Ill.	Thompson, La.
O'Brien, N. Y.	Regan	Thornberry
O'Konski	Richards	Tuck
Osmers	Sadlak	Wainwright
Passman	Secrest	Wampler
Philbin	Sheehan	Widnall
Phillips	Simpson, Pa.	Wier
Pillion	Smith, Va.	Wigglesworth
Powell	Stringfellow	Willis
Rayburn	Taylor	Wilson, Tex.
Ryce, Tenn.	Teague	Yates

The SPEAKER. The resolution, not having received the affirmative vote of a majority of the authorized membership of the House, is not agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Bailey for, with Mr. McCormack against.

Until further notice:

Mr. Wigglesworth with Mr. Dies.

Mr. Stringfellow with Mr. Morrison.

Mr. Frelinghuysen, Jr., with Mr. Willson of Texas.

Mr. Becker with Mr. Thompson of Louisiana.

Mr. Kean with Mr. Mahon.

Mr. Kearney with Mr. Ikard.

Mr. Widnall with Mr. Kirwan.

Mr. Taylor with Mr. Dingell.

Mr. Reece of Tennessee with Mr. Passman.

Mr. Sadlak with Mr. Fogarty.

Mr. Wainwright with Mr. Abbitt.

Mr. Simpson of Pennsylvania with Mr. Burleson.

Mr. Bray with Mr. Landrum.

Mr. Busbey with Mr. Teague.

Mr. Bush with Mr. Yates.

Mr. Carrigg with Mr. Wier.

Mr. Derounian with Mr. Secrest.

Mr. Dondero with Mr. Miller of California.

Mr. Fino with Mr. Colmer.

Mr. Gamble with Mr. Smith of Virginia.

Mr. Hillelson with Mr. Bolling.

Mr. Hoffman of Illinois with Mr. Willis.

Mr. Curtis of Nebraska with Mr. Thornberry.

Mr. King of Pennsylvania with Mr. Regan.

Mr. Latham with Mr. Eberharter.

Mr. McVey with Mr. Philbin.

Mr. Morano with Mr. Celler.

Mr. Osmers with Mr. Keogh.

Mr. Reed of Illinois with Mr. Klein.

Mr. Wampler with Mr. Delaney.

Mr. Hale with Mr. O'Brien of New York.

Mr. Phillips with Mr. Multer.

Mr. Pillion with Mr. Dollinger.

Mr. Jenkins with Mr. Fine.

Mr. Dolliver with Mrs. Kelly of New York.

Mr. Burdick with Mr. Heller.

Mr. O'Konski with Mr. Buckley.

Mr. Sheehan with Mr. Powell.

The result of the vote was announced as above recorded.

DEPARTMENT OF DEFENSE APPROPRIATION BILL

Mr. SCRIVNER, from the Committee on Appropriations, reported the bill (H. R. 5969) making appropriations for the Department of Defense for the fiscal year ending June 30, 1954, and for other purposes (Rept. No. 680), which was read a first and second time, and with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. SHEPPARD reserved all points of order on the bill.

TEMPORARY APPROPRIATIONS FOR FISCAL YEAR 1954

Mr. TABER, from the Committee on Appropriations, reported the joint resolution (H. J. Res. 287) making temporary appropriations for the fiscal year 1954, and for other purposes (Rept. No. 681), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. Speaker, I ask unanimous consent that it may be in order at any time today to call up this joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SERVICEMEN'S READJUSTMENT ACT OF 1944

Mr. AYRES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5456) to extend to June 30, 1954, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

[Mr. AYRES addressed the House. His remarks will appear hereafter in the Appendix.]

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That title III of the Servicemen's Readjustment Act of 1944, as amended, is hereby amended as follows:

(1) By striking out "4 percent per annum" from clause (C) of section 512 (a) and inserting in lieu thereof "the rate authorized for guaranteed home loans,";

(2) By striking out "of 4 percent per annum" from section 512 (b) and inserting "to be determined by the Administrator of Veterans' Affairs, not to exceed the rate authorized for guaranteed home loans, and in no event to exceed 4½ percent per annum";

(3) By striking out "June 30, 1953" from clause (C) of section 512 (b) and inserting "June 30, 1954" in lieu thereof;

(4) By striking out "June 30, 1953" from the first sentence of section 513 (a) and inserting "June 30, 1954" in lieu thereof;

(5) By striking out "June 30, 1954" from the third sentence of section 513 (c) and inserting "June 30, 1955" in lieu thereof; and

(6) By striking out "June 30, 1953" from the first sentence of section 513 (d) and inserting "June 30, 1954" in lieu thereof.

SEC. 2. The last proviso in section 500 (b), title III, of the Servicemen's Readjustment Act, as amended, is hereby amended to read as follows:

"And provided further, That the Administrator, with the approval of the Secretary of the Treasury, may prescribe by regulation from time to time such rate of interest, not in excess of 4½ percent per annum, as he may find the loan market demands."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 303 was laid on the table.

(Mr. JAVITS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. JAVITS. Mr. Speaker, I believe that this is a very desirable measure. Home ownership by veterans is one of the great benefits of our free society. We should be careful to see that the assurance we wish veterans to have on this score is implemented by the availability of mortgage money to back the GI bill of rights in giving veterans the opportunity for home ownership. This is especially important at a time like this when we are trying to hold interest rates down and to facilitate home loans for veterans. The direct loan provision is a realistic measure to do the Government's full share in this field. I believe it is essential also to give similar consideration for direct loans in respect of other types of housing development such as that, for instance, provided under section 213 of the National Housing Act which provides for veterans cooperatives, where mortgage money is also very hard to come by at reasonable interest rates.

CORRECTION OF VOTE

Mr. SCHERER. Mr. Speaker, on roll-call No. 69 I am recorded as not voting. I was present and voted "nay." I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

PROGRAM FOR NEXT WEEK—HOUR OF MEETING ON MONDAY NEXT

(Mr. PRIEST asked and was given permission to address the House for 1 minute.)

Mr. PRIEST. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader if he can give us at this time the legislative program for next week.

Mr. HALLECK. We propose to come in at 11 o'clock on Monday next and take up the rule and the bill known as the Sadlak bill, H. R. 5899, having to do with the excess-profits tax.

Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. On Tuesday we hope to take up and dispose of the bill H. R. 3884, with reference to the Veterans' Administration Office in the Philippines; H. R. 5302, providing for an additional Assistant Postmaster General; and House Joint Resolution 234, relative to

the annual meeting of the Interparliamentary Union.

Tuesday is the end of the fiscal year. If conference reports are ready, we will of course expect to dispose of them on Tuesday.

Mr. PRIEST. It is my understanding that the gentleman from New York [Mr. TABER] may bring up later today a continuing resolution on some of the appropriations.

Mr. HALLECK. That is right. As to those that cannot be finally concluded by June 30, of necessity we will have to have a continuing resolution to take care of them today, but it might be possible that some of the others might be out of conference so that action could be had.

On Wednesday we expect to begin the consideration of the Defense Department appropriation bill for 1954. We hope to have the House come in at 10 o'clock on Wednesday, and continue the consideration of that bill on Thursday. May I say that we hope to complete action on the Defense Department appropriation bill on that day. If we do, then we shall adjourn over until the following Monday, because Saturday is the 4th of July and a great many Members want to get home for that occasion.

Of course, conference reports are in order at any time. If there is any further program, any other matters that need to be disposed of, I shall try to inform the membership as quickly as possible.

DIRECT-LOAN PROGRAM FOR VETERANS

(Mr. EDMONDSON asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. EDMONDSON. Mr. Speaker, I am glad to have this opportunity to join the gentleman from Ohio [Mr. AYRES] and the gentleman from Tennessee [Mr. EVINS] in urging passage of H. R. 5456, extending for 1 year the direct-loan program for veterans' housing.

This program, while not perfect in many particulars, has helped a great deal to meet a need for financing of GI homes in many of our smaller communities and rural areas where private financing has simply been unavailable.

In my own State of Oklahoma, more than 460 loans have been made to deserving veterans since this program started—252 by the Muskogee VA office and 209 by the Oklahoma City office. Not one foreclosure has resulted in the program.

In the hearings of our committee, we found no group which did not favor at least a 1-year extension of this measure. It is the only way any veterans' housing is possible in many parts of our country. I feel sure the Veterans' Affairs Committee is united in urging its approval by the House.

EXEMPTING CERTAIN GOVERNMENT OFFICIALS FROM ANNUAL AND SICK LEAVE ACT OF 1951

Mr. REES of Kansas. Mr. Speaker, I call up the conference report on the bill

(H. R. 4564) to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

(For conference report and statement, see proceedings of the House of June 22, 1953.)

Mr. REES of Kansas. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, if I may have the attention of my colleagues for a brief period, I think I can give them the highlights of this conference report. This conference agreement removes Cabinet officers and officials appointed by the President, or by the President by and with the consent of the Senate, from the Annual and Sick Leave act of 1951. This prevents them in the future, from earning leave which may be the basis for lump-sum, cash, leave payments. It permits the President to remove other officials except Postmasters, United States marshals and United States attorneys from the Annual and Sick Leave Act of 1951. These officials may be paid for leave earned in the past, but not used when they leave the service.

With respect to employees generally, the conference agreement repeals the Appropriation Act rider which recognizes the leave earned in any calendar year must be used by January 30 of the following calendar year.

It preserves to the employees, leave which is presently to their credit and earned prior to December 31, 1952. This leave may be used or paid for in cash upon separation from the service, or to their estate in the event of death in the service. These employees who have more than 30 days leave to their credit, counting leave earned up to December 31, 1952, may not accrue any more leave in the future. They may be paid for this leave including leave due for the current year in cash on separation. After August 31 of this year, however, leave for the current year must be taken as leave. Those employees who have less than 30 days leave, may accrue up to 30 days leave, and be paid in cash upon separation from the service for leave accrued up to 30 days. After August 31, 1953, leave on the current year in excess of 30 days, when added to leave already accrued, must be taken as leave.

Employees outside the United States, except those in the Foreign Service of the State Department, will be affected in the same manner as those other employees, except that they may accrue 45 days leave instead of 30 days.

This conference report on H. R. 4654 which I have just summarized covers legislation which was approved by the House in a substantially different form than represented here in the agreement of the conferees.

As the bill passed the House, it was designed to remove from the leave system which covers Federal employees generally, members of the President's Cabinet and other high officials and employees in the executive branch of the Government who receive over \$14,800 a year, and are appointed by the President alone, or by the President with the advice and consent of the Senate. By so doing, it will prevent earning and accrual of leave in the future by these officials, and they will not be paid for leave in lump sum payments such as recently aroused widespread public concern.

Because of testimony before our committee that these officials had a vested right to leave already accrued under existing law, those who will be exempted from the Annual and Sick Leave Act by this bill may receive a lump sum terminal leave payment for leave they have not taken but accrued up to this time. Payment for this leave, however, will be made only upon their leaving the Federal Service.

The Senate amendment contained the same provisions as the House bill, and authorized the President to exempt from the Annual and Sick Leave Act other officials, except postmasters, United States Attorneys, and United States Marshals. The addition made by the Senate was accepted by the conferees and is contained in this conference report.

The conference agreement permits the President to authorize leaves of absence for use in the United States for ambassadors and other high officers of the Foreign Service taken out of the Leave Act. Such leave, of course, could never be the basis for lump sum cash terminal leave payment.

The major change in this bill made by the Senate was the repeal of section 401 of Public Law 455 of the 82d Congress. This section restricted the accrual of leave by providing that leave of Federal employees earned in one calendar year which was not used by June 30 of the following calendar year would be lost to the employee concerned. This provision of the Senate bill had the effect of returning to the old authorized accrual of leave whereby employees in the United States could accrue 60 days' leave, and those outside of the United States could accrue 90 days of leave.

The conference agreement does not go as far as the Senate amendment. It leaves a restriction on the accrual of leave earned in the future to 30 days in the United States and 45 days outside of the United States, and also limits to 30 days the amount of future leave that can be paid for in lump sum terminal leave payments. Employees will be permitted to retain all leave which they have accumulated up to the end of the 1952 leave year and may be either paid for this leave in a lump sum when they leave the Federal Service or take it as leave during their employment.

Under the conference agreement, lump sum payments of leave when an employee transfers to another leave system are stopped and the employee concerned will have his leave transferred in terms of the leave system to which he transfers.

The conference agreement also provides that heads of departments and agencies are authorized and directed to take action to reduce the accumulated leave to the credit of officers and employees. The conferees were concerned about the large amount of leave that has been accumulated to the credit of employees as an obligation of the Federal Government. This obligation for accrued leave is variously estimated as between \$580 million and \$800 million. The heads of the departments and agencies must furnish to the Civil Service Commission such reports as the Commission may require in order to submit as a part of their annual report to Congress a statement covering the reduction of this large amount of accrued annual leave.

I should like to say to the Members that I offered a compromise which, in my judgment, was somewhat more liberal to most employees in the Federal service than the conference agreement. However, it was not accepted, based primarily, I believe, upon loud objections by high ranking officials who have accumulated the largest part of this leave liability of the Federal Government. My proposal would have eliminated the payment to anybody after January 1, 1956, of more than 30 days in a lump-sum cash payment for terminal leave. Employees would have had 2½ years to either liquidate their leave by taking it in kind or recognize the fact that they could not receive more than 30 days cash payment for this leave.

A volume of testimony before our committee was directed to the fact that leave is to be used and is not intended to be saved for purposes of a lump-sum cash payment. The very officials who make this statement, however, when it applies to them and the large amount of leave they have accumulated, cry out the loudest. I should like to point out to the Members of the House that for the most part this leave has been earned by those employees in the lower grades and now must be paid off at possibly 2 or 3 times the salaries at which it was earned.

May I give an example of what I had in mind by pointing out how the former postmaster of New York City, who resigned while under investigation, received a payment for his terminal leave of over \$10,000. It is clear that this man who had more than 40,000 employees under his jurisdiction could have arranged time to take his leave. The fact of the matter is that he did not want to take the leave but was saving it for a lump-sum cash payment, thus causing the Federal Government in effect to pay two people for doing the same job at the same time. This situation is the same with first, second, and many third-class postmasters who, when they take their leave, are not replaced by adding another person on the payroll. Since they can certify to their own leave and decide when and if they will take leave, they, of course, are permitting themselves to roll up a large amount of accrued leave for cash payments.

Under my proposal, employees would have been able to accrue 60 days here in the United States—including employees

in the Foreign Service of the State Department—and 90 days outside the United States for vacation purposes. My only restriction was that they could not get paid for more than 30 days in a lump-sum terminal-leave payment. In this conference agreement, however, it is much more lenient with the high officials who want to keep their leave and get large lump-sum cash payments than it is with the average employees who have today less than 30 days' leave.

This agreement, by removing the right to accumulate more than 30 days, is placing a majority of all employees—those who have accumulated over 30 days—in a situation more restrictive than the present law. All employees having more than 30 days accrued leave will have to use their leave in the year earned or lose it. They will not even have the 6 months of the year following during which to use up their leave.

One of the main objections, I believe, to the lump sum payments—and the reason for the popularity for my bill, which the House approved without a dissenting vote—was that Congress understood these officials approve their own leave. They determined where they went on trips and when they went. This same situation surrounds the officials in the classified service in the higher grades, yet in this conference agreement we are giving them more consideration than the average employees in the lower grades. For example, the employees in the super grades average 70 days accumulated leave, and those in grade 5 and below have less than 30 days.

I signed the conference report and I am presenting it to the Congress because I felt that it was necessary to repeal present restrictions on last year's leave. Otherwise, employees would lose their unused 1952 leave as of June 30 of this year. I do, however, want to summarize my position with respect to leave accumulation and point out that the objection has been voiced to leave accumulation has been based primarily upon the lump sum leave payments.

I had hoped to work out a means to permit the accumulation of leave but limit the amount of lump sum cash payment. This conference agreement limits the lump sum cash payments but also restricts the accumulation of leave. In addition, it directs that administrative officials must make arrangements to liquidate this large leave liability to the Federal Government.

I hope that heads of departments and agencies will take effective action to cause employees to take their leave when they can be spared. When employees take leave at slack periods when replacements are not necessary, there is a real savings to the Government compared to paying for this leave in cash at the time of separation from the Federal Government.

May I emphasize that on this, the 27th of June, the most important issue is that employees will lose their 1952 leave on next Tuesday, June 30, if we turn down this conference report.

They expect we will keep faith with them—they had a right to expect it.

Mr. Speaker, I yield 5 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, it seems to me that this is a very important measure to pass at this time, because if, for some reason or other, it does not get through the House, the employees would be left without any of their accrued leave for the year 1952. This will work a very severe hardship on many of the employees.

The bill, as written now, or as the conference report brings it back, will allow these employees to carry over at least the 30 days' accrued leave which, of course, they understood they were getting at the time, and which it would be very unfair to deprive them of.

As I see it now, if this is not passed, the cutoff date comes at the end of June, and they will then be left with only the 30 days and not with the added 30 days that have been accrued.

From here on out, of course, we realize that the employees cannot accrue more than 30 days. But at least they will know ahead of time and be able to take measures accordingly.

I think we made necessary compromises with the Senate. Of course, no compromise is entirely acceptable. Still, it is only through this method of trial and error that we get any of our legislation through both Houses. And for that reason, I think we have done as good a job in this conference report as was possible.

I am one of those who did vote for the original Thomas rider. I thought at that time that it was a good thing, that it was correcting an abuse. I think it did bring our minds into focus on that very thing. It certainly highlighted the fact that many people in Government were getting huge accumulations of leave which they were taking in cash.

I think this is being put on a fair basis. We have at least removed all Cabinet officers and all those appointed by the President above a certain level and pay grade. All this is to the good. I think on the whole, as I said before, it is probably as good a measure as we could get at this time.

If this conference report is not agreed to, there is no question in my mind but that it will work a very severe and undeserved hardship upon the Government employees.

Mr. REES of Kansas. Mr. Speaker, I want the distinguished gentlewoman from New York [Mrs. ST. GEORGE] to know that I agree with her the conference report is not completely in accord with my views, but it is the very best we could do.

Mr. Speaker, I yield 8 minutes to the distinguished gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I wonder if the House will reason with me for a few minutes. This conference report ought to be voted down; make no mistake about it. As a war measure this Congress passed a law, yes, giving a lump sum payment for annual leave—as a war measure. As war measures you passed rent control, wage control, price control, and the allocation of materials. Those controls have been repealed, and

this leave accumulation has been repealed, but now we find the other body reinstating a war measure under circumstances which certainly are not warranted.

Three years ago the Bureau of the Budget estimated that your cash payments in lieu of annual leave cost the taxpayers of this country every year—how much money? Approximately \$100 million. And I think the Bureau of the Budget was in error; I think it was nearer \$125 million a year. Several years ago you had roughly 2 million employees; today you have approximately 2,500,000, so I think the figure of \$125 million a year annual cost to the taxpayer is conservative.

Does industry do what our friends on the other side of the Capitol are asking us to do now?

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I cannot refrain from yielding to the gentlewoman from New York.

Mrs. ST. GEORGE. I just want to ask one question: Has a system—

Mr. THOMAS. Is there any excuse for this Government not following the same rule private industry does?

Mrs. ST. GEORGE. But we do not.

Mr. THOMAS. Who pay for this? It is your farmers, your grocery store clerks, your shoe store clerks. Why should you give to this group here something you would not dare go back into your district and advocate?

Mrs. ST. GEORGE. I beg the gentleman's pardon, but the big corporations take care of their employees; they give them separation allowances; they give them insurance that the Government does not give.

Mr. THOMAS. Oh, please—please let me make my little statement, then I will yield to the gentlewoman later. If the gentlewoman wants to do away with this awkward, uneconomical, and unprecedented procedure and do it in a business-like way in the form of terminal leave, I would go along with that, but if you let me get a report I have here—and I want to cite it to the gentlewoman, she should read it—you know we had a Congress around here several years ago called the 80th Congress and some called it the do-nothing Congress. I do not subscribe to that in the slightest; they did a lot of good things. Among other things the membership should get Senate Document 126 of that 80th Congress—and if there is anybody who has anything different I will yield to him to present it—in the other body in that 80th Congress, the Appropriations Committee attempted to act on this matter and the Legislative Committee in that 80th Congress tried to straighten it out but somehow it did not get straightened out.

As of September 30, 1947—now, get the dates—and since that time we have had a pay raise in fiscal 1947, 1949, 1950, 1952—4 pay raises—at the beginning of that time we had only 2 million employees whereas today we have, roughly, 2,500,000, and in that 80th Congress in September of 1947 the gentleman at the other end of the Capitol tried to act. Remember those four pay raises and that

additional increase in pay. Your debt for accumulated annual leave is approximately \$500 million. Of course, bringing this figure up to date it is nearer \$900 million.

This good document goes a little bit further and says:

The total annual days accumulated as of September 30, 1947, was 44,561,076 days.

Now, that is not up to date, either, because you have had 500,000 additional employees added to your rolls. Roughly, it is 55 million days. Will somebody tell me how much it costs the taxpayers every year for the bookkeeping alone to keep up to date 55 million days of accumulated leave, not this year or next year but every year, for 2,500,000 employees? Can someone hazard a guess? Is it 5 million or 10 million or 15 million? No one has ever taken the trouble to figure it out.

My distinguished friends on the legislative committee, and I refer to those on both sides of the aisle because there is nothing partisan in this, bring before them employee unions and the Civil Service Commission. They have never invited to my knowledge, certainly they have not appeared on this measure, anybody representing the consuming public, the farmers, the merchants or the working people of this country. Now, tell me how much it is going to cost to keep these records for the next 5, 10, 15, or 25 years in addition to paying them this cash?

What is a vacation for? It is to refresh and relieve a person of a duty so that he may perform it better in the future. Is that not good, common horse sense? It would be just as wise to say if they are not going to use this leave for that purpose to repeal it altogether, then when they retire 15, 20, or 25 years from now give it all to them then. Is that too much out of line?

Mr. Speaker, this is the most expensive and unnecessary thing I know of. If you want to put this \$125 million burden on the backs of your taxpayers, that is your business. I humbly suggest that you vote this conference report down, let it go back for further conference and eliminate this provision from the bill.

Mr. REES of Kansas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would remind the gentleman from Texas that the Thomas leave rider did not do anything at all with respect to right to payment for accumulated leave provided in the 1944 act, which he supported and which was pretty well supported by the membership of the House. I want to say to him incidentally that this amendment that is before the House today is not so much different with regard to the problem as he thinks, excepting that we are not shutting these people off on June 30, 1953, from the leave they have accumulated in 1952. That is the main part of the issue.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Texas.

Mr. THOMAS. Of course, I voted for that act, like the gentleman did and

everybody else, because it was a war measure. At that time we voted rent control, wage stabilization, and other war measures.

Mr. REES of Kansas. But we did not think there were high officials who were going to take away that much money. We did not know that at the time.

Mr. THOMAS. The gentleman knows it ought to be repealed. The business people of your district do not do it. Why should you do more for the people here in Washington and elsewhere than the taxpayers back home do for their own people?

Mr. REES of Kansas. That is what we are taking care of by this legislation.

Mr. THOMAS. We did not repeal anything that had to do with an accrued privilege. That would have been unconstitutional. When you do it in this act it will be unconstitutional and the gentleman knows that.

Mr. REES of Kansas. We are not doing it in this act. There is nothing unconstitutional about this act.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. Speaker, I hope not to be compelled to use even the 2 minutes, but I take this time not only on behalf of myself, but on behalf of the chairman of the Subcommittee on Independent Offices, the distinguished gentleman from California [Mr. PHILLIPS], who is unable to be present here this afternoon, to associate ourselves with the gentleman from Texas [Mr. THOMAS] in his position in this matter. It is our feeling that the Committee on Post Office and Civil Service should be commended for their bill. We felt that the distinguished chairman and his associates passed through the House an excellent bill, and the slight liberalization of the Thomas rider was on a point that we felt improved it. We regret that they were compelled to yield to the Senate and surrender on the Thomas rider. We feel that in retreating on this matter and that we are here approving a system that was wasteful, a system which was open to all kinds of abuses, a system that was discriminatory, because the higher grades in the Government who could be away from their offices without technically taking leave will be allowed to collect for past leave.

Mr. Speaker, we are compelled to oppose the adoption of this conference report. We support our colleague, the gentleman from Texas [Mr. THOMAS] in his position.

(Mr. COTTON asked and was given permission to revise and extend his remarks.)

Mr. REES of Kansas. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. MURRAY], the minority ranking member of this committee, 6 minutes.

(Mr. MURRAY asked and was given permission to revise and extend his remarks.)

Mr. MURRAY. Mr. Speaker, this is a unanimous conference report. It is

signed by the 5 managers on the part of the Senate and the 5 managers on the part of the House, and it has already been approved by the Senate.

Let us see what the situation is about this conference report. The House passed H. R. 4654, which exempts certain top executives in our Government, from members of the Cabinet down to assistant heads of departments and all officials who are drawing more than the maximum pay under the Civil Service Pay Schedule Act of \$14,800 per year from the Annual and Sick Leave Act of 1951, thereby prohibiting lump-sum payments to them for accrued annual leave upon their retirement.

After the House passed this bill the Senate then struck out all language of the House bill and adopted an amendment which incorporated all of the House bill with reference to prohibiting these top officials, which numbered about 400, from receiving lump-sum payments for accrued annual leave by exempting them from the Annual and Sick Leave Act of 1951. In addition the Senate inserted a provision that the President in his discretion could extend this bill to certain other top officials, which number about 100, and which includes members of various commissions, such as the Boundary Commissions. Then the Senate amendment went further and repealed section 401 of the Independent Offices appropriation bill of 1953. This section is known as the Thomas leave rider which requires that every employee must use his or her annual leave within the current year and 6 months thereafter and which permits no accumulation of leave from year to year.

We went to conference on this legislation and I requested that the provision striking out the Thomas leave rider be eliminated, because I felt it had no place in this legislation. The Senate conferees stood pat, and under no condition would they yield and agree to strike out the provision repealing the Thomas leave rider. They were adamant. Then the House conferees felt that they would have to make the best compromise they could with the Senate conferees. After all such a conference is a "give and take" affair with each side making certain concessions in order to reach a compromise agreement.

As the result of the insistence of the House conferees, this report provides that from January 1953 no employee can accumulate in the future a maximum of more than 30 days. What is the condition today, under the present law? Many employees can accumulate 60 days plus the accrued leave in the year in which they retire. In other words, an employee who has already built up a maximum of 60 days on January 1, 1952, and who is entitled to 26 days annual leave for the year 1952, could retire at the end of that year and be paid for 86 days, provided he used none of his current annual leave in 1952.

An employee in the Federal service outside the continental United States, under present law is entitled to 90 days plus the accrued leave of the year in which he retires. Thus a Federal employee outside the continental United

States under present law could be paid for as much as 90 days plus 26 days, making a total of 116 days. The conference report provides a maximum accumulation of 45 days leave in the future for such employees outside the continental United States.

Under present leave law an employee who has been in service less than 3 years receives 13 days annual leave. If the employee has from 3 to 15 years service he then receives 20 days annual leave. If he has 15 years of service or more, he is entitled to the maximum of 26 days annual leave.

Of course, the conferees could not take away from an employee the leave which he had already legally and rightfully accumulated under existing law. That would have been an ex post facto law and unconstitutional, because these employees had legally acquired their leave under existing law and we could not disturb it. But there is one provision put in this conference report which I think will be very effective. This provision was insisted upon by the House conferees. It is section 6 of the conference report. It provides that the heads of the departments and agencies are authorized and directed to take such action as may be necessary to bring about reductions in the accumulated annual leave to the credit of the officers and employees which is in excess of the amounts allowable under the applicable provisions of section 203 of the Annual and Sick Leave Act of 1951 as amended by this act, within a reasonable period of years, consistent with the exigencies of public business, and to make such reports with respect to the action taken as may be requested by the Civil Service Commission.

It further provides the Civil Service Commission shall include in its annual report to the Congress a statement of the progress made in carrying out the purposes of this act.

So you can observe that by this conference report we are cutting down the accumulated leave of the employees in the future, which under existing law could be as much as 86 days, to 30 days, and we are also providing that the leave of employees in the Foreign Service shall be reduced from 90 days to 45 days.

There are great savings accomplished by this conference report. I am sure the employees are not entirely pleased with this conference report, because their accumulated leave is being restricted to a maximum of 30 days in the future. I do feel that these employees, especially those with only 13 days leave per year, should be allowed to accumulate up to 30 days. I usually agree with my friend the gentleman from Texas [Mr. THOMAS] but I think if he would read this report carefully he would admit that the House conferees have done a fine job, and that it is not in effect a total repeal of the Thomas rider; it is a modification of the rider by cutting down the cost of the present accumulated leave by making those who have already accumulated the maximum leave of 60 days reduce it over the years in the future to 30 days—and by limiting accumulated leave in the future to a maximum of 30 days to any

employee of the Government who does not have the required 30 days.

If an employee has only 26 days leave accumulated up to the first of this year, then that employee can only accumulate 4 more days up to a maximum of 30 days and then he must use all leave currently in excess of 30 days. If an employee has 60 days leave accumulated on January 1, 1953 of this year and if that employee uses his current annual leave for 1953 and then takes in addition 10 days of the accumulated leave which he had at the first of the year then his accumulated leave would be reduced to 50 days and he could not build his leave up to 60 days in future years. If an employee had 60 days accumulated leave on January 1, 1953 and during the year used all of his current annual leave and in addition 30 days of his accumulated leave, his accumulated leave then would be only 30 days or he could not accumulate any more leave.

Mr. Speaker, this is a good conference report. I have seen my friend, the gentleman from Texas [Mr. THOMAS] who has been on many conference committees compromise time and again just as the House conferees have done on this report. Of course, we have to compromise in these conferences in order to reach a final agreement. That is the position your conferees were in. We made the best bargain possible, and I think we have done a good job. I hope you will approve this conference report.

Mr. REES of Kansas. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, we ought to have a real picture of what this situation is so that we may vote on it in the interest of the people of the United States, and at the same time be fair to the employees. A year or so ago, when the independent offices bill was before the House, the committee headed by the gentleman from Texas [Mr. THOMAS] brought in a provision which would do away with terminal leave which might accrue and that had accrued prior to that time, except as it might be used before the 30th of June, 1953—that is next Tuesday. Why was that done? Because of the terrific inequities which were in that provision for terminal leave. It worked like this. You gave terminal leave to these employees at the rate they were being paid when they retire. They might have earned \$2,500 a year when the leave was accumulated, and they might have been earning \$12,000 a year when they retired. They would not be paid at the rate they were earning at the time the leave accumulated, but they would be paid at the rate they were earning at the time they got through with their Government service.

This provision restores the terminal-leave provision and lets them carry it over, and carry it forward, until they are separated from the service. We have already provided that that leave shall be done away with on the 30th of June, if not used.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. REES of Kansas. May I point out to the gentleman from New York that this legislation does not restore these lump-sum payments any more than they already have at the present time. Neither does the Thomas leave rider. It does not take these lump-sum payments away. That was in the law in 1944. I go along with the gentleman in what he says here, but this particular legislation does not restore anything that the gentleman has been talking about. The only thing it does really is that it does give these people who have this accumulation of leave in 1952, time to use their accumulation, but it says in substance, or rather it says in fact, no accumulation shall be for more than 30 days.

Mr. TABER. Yes, but it lets them carry forward all of that accumulation that had been made prior to that date.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. THOMAS. As the law stands today, the law is clear that in the future you cannot accumulate one day. You have got to use it. If you adopt this conference report you repeal that prohibition, and they can accumulate it and accumulate it and accumulate it. That is clear.

Mr. REES of Kansas. The gentleman is entirely mistaken, if he will read the report.

Mr. THOMAS. There is no misunderstanding. The gentleman knows very well that if you repeal this rider you will allow these employees to accumulate it beginning this year, and next year, and every year in the future. The gentleman knows that. That is what the fight is about.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I do not have a great deal of time, but it does seem to me that we ought not to get into any more schemes to hand out money from the Treasury except to those that are absolutely meritorious. I can see nothing meritorious about the restoration of that situation.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY. I might say that the Thomas rider does not take away any accumulated leave.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. THOMAS. Of course the rider does not take anything from it. It could not be retroactive. It would be unconstitutional; but you do let them accumulate, beginning now, and in the future, which the rider prohibited. That is the iniquitous thing about it.

Mr. MURRAY. But this accumulation of leave took place before the Thomas leave rider was enacted. It was not repealed by it. We cut it down to 30 days.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. TABER].

Mr. TABER. This rider provided that hereafter no part of the funds available for expenditure by any corporation

or agency included in this or any other act, including the Government of the District of Columbia, shall be available to pay for the annual leave accumulated by any civilian officer or employee during any calendar year, if unused at the close of business June 30, the succeeding calendar year. That would wipe it out.

Mr. REES of Kansas. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. BROYHILL].

(Mr. BROYHILL asked and was given permission to revise and extend his remarks.)

Mr. BROYHILL. Mr. Speaker, the gentleman from Texas [Mr. THOMAS] stated that the cost to the Federal Government of permitting employees to accumulate leave is approximately \$125 million a year, and that the total amount in dollars and cents of this accumulated leave on the books is somewhere between \$500 and \$900 million. Whether the gentleman intended it or not, that sounds to me like an implication that all of the leave accumulated by Federal employees is an additional cost to the Government. To me that sounds like a mathematical impossibility. If Federal employees are performing a day's work for every day they are on duty, it should not make any difference to the Federal Government, so far as cost is concerned, whether they take that leave or are permitted to accumulate it.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield.

Mr. THOMAS. Would the gentleman think that a high-ranking Government official, grade 14 or 15 or 16, after he has had 5 or 10 or 15 years in Government service and goes out and draws \$2,000 to \$4,000—does the gentleman think the bookkeeping was exactly correct in all respects?

Mr. BROYHILL. Mr. Speaker, in answer to the gentleman, the original bill I introduced precluded those earning salaries over Grade 15 from being permitted to accumulate any leave whatsoever. However, the conference report which we are acting on today prohibits those earning over the salary of Grade 18 from not only accumulating leave but removes them from the Leave Act of 1951.

But to continue, if these employees are not performing a day's duty so that the accumulation of leave is an additional cost to the Federal Government then that is a matter for the Committee on Government Operations to investigate and not to penalize the career or rank and file employees for mismanagement by department heads by attaching a rider to an appropriation bill.

During the past few weeks and months, we have heard a great deal of discussion, comments, and pros and cons on the proposed repeal of the Thomas leave rider. In recent weeks, we have held extensive hearings and debates in the Post Office and Civil Service Committee on this subject to the extent that I believe we all agree that the matter has been most thoroughly debated. During the hearings, not one witness appeared in opposition to the repeal of the Thomas leave rider. However, dur-

ing the discussions in executive session there was some comment concerning the advantages of the Thomas leave rider. Therefore, in all due fairness to those who may oppose the repeal of the Thomas leave rider, I think that we should discuss their objections. Insofar as I have been able to determine, there are only two major objections to the repeal which are as follows:

First. Since the total amount of accumulated leave in dollars and cents amounts to approximately \$500 million, it is thought or implied by the gentleman from Texas [Mr. THOMAS] that the accumulation of leave is a very costly item to the Federal Government. As I mentioned before, mathematically, it is difficult for me to see how it can cost the Federal Government more for Federal employees to accumulate leave rather than use it every year, particularly if the Federal employees on duty are rendering a full day's work for each day that they are on duty. This means if they take their annual leave, this work would not be performed or a replacement would have to be employed to perform the work. The net result being the same cost to the Government. If due to inefficient Government operation these employees are not doing a day's work, resulting in the accumulated leave being an additional cost to the Government, then I feel that this is a matter to be investigated by the Committee on Government Operations to improve operating practices and procedures in the Federal Government rather than by passing legislation that would penalize the rank and file of Federal employees for lack of proper supervision.

The other objection seems to be an apparent resentment or objection on the part of some of the Members of Congress to the amount of leave that the Federal employee is entitled to under the Leave Act of 1951. I believe that this objection should be taken care of by legislation to amend the Leave Act of 1951 rather than prohibit the employee from accumulating his leave. In other words, the amount of basic leave which an employee is entitled to should have no bearing on whether or not he is permitted to accumulate it. However, I do not feel that according to the Leave Act of 1951 the Federal employee is receiving more leave than that to which he is entitled and I would oppose any legislation to reduce this amount.

Now that we have discussed the objections that some of the Members have to the repeal of the Thomas leave rider, let us outline the reasons why the Thomas leave rider should be repealed. Some of these reasons may seem repetitious, but I feel that they should be repeated for emphasis and clarification.

First of all, the repeal of this rider would permit more flexibility in the operation of the Government. It is not always to the advantage of the Federal establishments for an employee to use his leave at the time he earns it. This was particularly true during the war and it is true at this time while we are trying to economize in Government operations in an effort to reduce many

needless agencies and bureaus as well as putting these policies into effect. Those of you who have had experience in private industry as I have, know that in many instances it is to the advantage of an employer to have his employees take their leave in a year other than one in which they earned it. At this later period, their services might be temporarily dispensed with without as much loss to the employer, thus giving the company flexibility in its operations because of the deferment of leave. The same situation is true in the Federal Government.

Secondly, many of our Federal employees are from States which are located a great distance from Washington, D. C., and generally find that 1 year's accumulation of leave does not give them sufficient time to travel the distance home and obtain the rest and relaxation for which the leave act was originally intended. Furthermore, some employees are unable to afford the cost of such a trip for a short period of time.

Thirdly, since there is a reduction-in-force program now being carried out, we find that in a great number of instances an employee's accumulation of leave serves as severance pay and/or unemployment compensation although it was not originally intended for that purpose. While I am not advocating unemployment compensation or severance pay for Federal employees, on the contrary, I feel that with a more efficient reduction-in-force procedure it would not be necessary for career employees to lose their jobs, we still must face reality and recognize that accumulated leave payments do serve indirectly as severance pay and unemployment compensation.

Fourth, and most important of all, the Thomas leave rider was a betrayal of faith which the Federal employees had in the Congress of the United States. They were promised in the Leave Act of 1951 that they would be permitted to accumulate up to 60 days' leave. If we are going to have economy and efficiency in the operation of the Federal Government, we must not ignore the morale of the individual Federal employee. By Congress being more concerned with the morale of the Federal employee and taking steps to strengthen it, we will obtain more efficiency in governmental operations, encourage more people to make employment in the Federal Government their career, and in the final analysis, obtain much more economical operation.

Therefore, I feel that the Thomas leave rider is punitive legislation which should be repealed. It is directed unfairly against the vast army of able and honorable Government workers. Experience has shown that it adversely affects the efficiency and morale of our Government employees, and that it operates against the best interests of the Federal Government. The sooner we get rid of this undesirable amendment, the better it will be for our country.

Actually this conference report which we will vote on today is a compromise of an original bill which I introduced calling for an outright repeal of this rider. When my bill was reported out of committee it was already amended

by the committee before it went to conference and was amended again in conference. While I still favor permitting the Federal employee to accumulate leave in accordance with the Leave Act of 1951—60 and 90 days—I am willing to go along with the committee's and the conference compromise and believe that those of you who are opposed to the repeal should certainly be willing to meet us halfway and help correct the serious error made by Congress when this rider was attached to an appropriation bill.

Mr. REES of Kansas. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. WITHROW].

(Mr. WITHROW asked and was given permission to revise and extend his remarks.)

Mr. WITHROW. Mr. Speaker, I listened with interest to the gentleman from Texas [Mr. THOMAS] when he said that accumulated leave would cost the Government probably a hundred to a hundred and twenty-five million dollars a year, and I am very much concerned about that, but the thing to which I think we should direct our attention is why this leave was accumulated. First of all, it was accumulated because the department heads of Government encouraged the accumulation of it; and, second, because the Government has no adequate method whereby Government employees are required to take their vacations. Compare it to private industry. The industry with which I was associated for so many years has a distinct yardstick whereby the employees are compelled to take their vacations; that is the railroad industry. They have more than 1 million employees, and throughout that industry at the beginning of the year there is a bulletin issued whereby there are 26 periods designated, and every employee must make 26 choices as to when he would rather have his vacation. The vacations are for 2 weeks. Then they all go in and according to seniority they are allocated their vacation period at the time specified by the company based upon their seniority. That is fair and people in the railroad industry are required to take their vacations, and the impact upon the industry is a steady and regular impact that can be handled. But we do not have anything like that in Government, and the result is that employees want to take their vacations at the same time, and it is not possible to let them take them at that time, with the result that they accumulate their leave, because in most cases they are obliged to accumulate it. You have got to do away with that situation or else, in all seriousness, you will have to let Government employees continue to accumulate their leave. Unless you do away with this hodgepodge, loosely drawn formula of having Government employees take their vacations you are going to have this problem with you.

The adoption of the conference report although it is not entirely satisfactory to me does repeal the Thomas rider which should never have been written into law.

I sincerely hope the conference report will be adopted.

Mr. REES of Kansas. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia [Mr. DAVIS], a member of the conference committee.

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Georgia. Mr. Speaker, I had not intended to have anything to say with reference to this conference report; however, several issues have been raised here which ought to be clarified some.

First, as to the cost of this terminal leave, it would be the same in salary dollars whether it is paid in lump-sum leave or whether it is taken year by year as the leave accrues. There is no way by which any enormous sum of money may be saved to the Government simply by voting down this conference report and leaving the matter as it is under present law.

The main issue and the main question to be decided by this vote here is whether the same amount of dollars shall be paid out by the United States Government in the form of lump-sum leave when the employee terminates his employment or it will be paid year by year as it accumulates. As the gentleman from Wisconsin [Mr. WITHROW] has pointed out, we do not have any system of social security for these Government employees, and many of them who have been entitled to this annual leave have not taken it because they wanted to accumulate what the law allowed them as a sort of cushion against unemployment if they should be separated from the service. That is certainly a meritorious desire, and one that no one could find fault with. Some of them under existing law have accumulated these allowable amounts.

If we had in this conference committee undertaken to wipe that out, as the gentleman from Tennessee [Mr. MURRAY] so ably pointed out, we would have been passing a law which would be unconstitutional, because it would be retroactive ex post facto. There is no doubt that the amount of money will be the same. There will be no saving to the taxpayer.

On the other hand, it is my opinion, and it is my considered opinion, that we will save money by letting them take this 30 days in a lump-sum payment because if we make them take it as annual leave and as vacation they will be accumulating leave on leave. If you make them take the 30 days which they have accumulated now and do not allow them to take it and take pay in a lump sum, as they take these 30-day vacations they will at the same time be accumulating leave on leave. So you can say that instead of costing the Government any additional money we would be saving at least the amount of money which would accrue as leave upon leave.

All of the conference committee members have told you that we did the best we could on this conference report. We met three times on this. If you insist on voting this report down, the net result is going to be that we will lose the

bill which we started out to pass to prevent these high-bracket officials from taking lump-sum terminal leave as this large group did recently, they being responsible for this legislation being introduced in the first place.

That is the situation. If you want to vote this down the net result will be that we will lose the bill which we started out to pass.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. BENNETT].

(Mr. BENNETT of Florida asked and was given permission to revise and extend his remarks.)

Mr. BENNETT of Florida. Mr. Speaker, adequate leave accumulation is needed in lieu of unemployment compensation for Federal employees. It would be a shame to deny this to our loyal Federal employees. It seems to me it would be a mistake to send this report back to the conference committee at this late hour. The results have already been explained by the gentleman from Georgia [Mr. DAVIS] as to what would happen if that occurred.

I have here a letter from the American Federation of Government Employees which I would like to read:

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES,
Washington, D. C., June 26, 1953.

Hon. CHARLES E. BENNETT,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN BENNETT: There are several points in conjunction with House Report No. 629, on H. R. 4654, which our federation desires to bring to your attention.

In view of the practical legislative situation we now face, the American Federation of Government Employees does not feel that the conference report should be rejected. Failure to accept the agreement would leave only the alternative of continuing the undesirable features of section 401 of the Independent Offices Appropriations Act of 1953 (the so-called Thomas leave rider).

In adopting this position, we express the earnest hope that action will be taken in the near future by the 83d Congress to eliminate the inequities resulting from House Report No. 629.

So that the record will be clear, it would be well for us to enumerate the inequitable features of the conferees' agreement.

We are convinced that the desirable objectives of annual-leave revision can be accomplished fully and simply by repealing the Thomas leave rider and changing the time limit on leave accumulation to the last day of the calendar year.

Despite the stated purpose of House and Senate conferees that no employee who has previously accumulated annual leave shall lose it, there are certain circumstances under which employees or their surviving wives and children will lose their annual leave because they do not have an opportunity to use it.

Furthermore, we can see no need for reducing maximum accumulations from 60 and 90 days to 30 and 45 days as the conference report requires. Federal agencies are now experiencing severe reductions in force. The requirement that these Federal employees not be paid for leave in excess of 30 or 45 days will work a serious economic hardship on them and their families at a time when they are without gainful employment.

Because of your interest in Federal employee problems in the past, I am certain

you will give serious consideration to our views on House Conference Report No. 629.

Sincerely,

JAMES A. CAMPBELL,
National President.

Mr. Speaker, I urge that we approve the position of the American Federation of Government Employees that this matter not be sent back to conference, and that it be favorably acted upon at this time.

Mr. REES of Kansas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I will say to the distinguished gentleman from Florida that I have also received similar letters. I quote from one of these letters:

Despite these and proposed lesser objections we feel that the conference report should be adopted because it is in any event an improvement over existing conditions in most respects.

Now, Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RHODES].

Mr. RHODES of Pennsylvania. Mr. Speaker, I want to thank the gentleman from Kansas [Mr. REES], the chairman of our committee, as he has always been most gracious, considerate, and fair to the members of the committee, including those of us of the minority. I know he has given careful thought and consideration to this difficult question of accumulated leave. I personally would like to see the figure above the 30 days recommended in the report, but I accept the conference report because I think it is an improvement over the present law.

My main reason for requesting time was to seek an answer from our chairman on a couple of questions that were put to me by some of the employees.

First, an employee has accumulated the maximum 30 days' annual leave allowed at the beginning of the calendar year 1953. From January 1953 to October 1953 he accumulates an additional 20 days. On October 1, 1953, he is notified he will be laid off. The question is, Will he lose the 20 days earned in 1953?

Mr. REES of Kansas. I thank the gentleman concerning my fairness to members of our committee. This man you describe should receive his pay for the 50 days' leave. He ought to receive pay for 20 days of it as leave taken after his notice that he will be separated and prior to removing his name from the payroll, and 30 days of it he will be paid in a lump-sum cash payment.

Mr. RHODES of Pennsylvania. If the employee should die, would his wife and children lose the 20 days earned in 1953?

Mr. REES of Kansas. After August 31 his estate will receive pay for only 30 days' leave. Twenty days' current leave which must be taken as leave, cannot be paid for in that instance.

Mr. RHODES of Pennsylvania. One final question I would like to ask our chairman. Does the conference report contain a provision requiring heads of agencies to give an opportunity for employees to use any leave in excess of the maximum accumulated so that they will not lose it?

Mr. REES of Kansas. There is no specific provision in this regard but it is understood that the officials will give employees a chance to take their leave, and that is the best answer we have to it, I will say to the gentleman.

Incidentally, these questions are directed toward basic issues of this legislation. As usual the gentleman from Pennsylvania has shown his understanding of employees' problems.

Mr. RHODES of Pennsylvania. I thank the gentleman.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS of North Carolina. Mr. Speaker, it is with considerable temerity that I inject myself into this controversy at all. I am not familiar with the legislative history, was not here when the Thomas rider was adopted, and, therefore, do not feel qualified to debate the subject on its merits.

I listened to the explanation of the conference report by the distinguished chairman and other members of the committee, and I am willing to accept their advice that the bill that is now before us contains many improvements over the existing system. I am not so fully convinced that the elimination of the Thomas rider will prove to be beneficial.

It is contended here that the Thomas rider would save the Government at least \$125 million a year. That allegation has been denied by various Members. I do not feel qualified to discuss that point because of my lack of information on the subject. My only comment on that aspect is that it is bound to cost a lot of money to do the necessary bookkeeping to keep up with the annual-leave records of 2½ million Federal employees. Many of these records would not be necessary if the employees took the leave as it accrues, or within a reasonable period of time thereafter.

But I arose to suggest that we seem to be forgetting the original concept of annual leave. Much has been said here today about severance pay, unemployment compensation to tide employees over an interim between discharge and obtaining new positions, and about social-security benefits. I respectfully submit that neither of those matters has anything to do with annual leave. I think the question of leave should stand on its own feet and be decided on its merits. If an increase in pay for Federal employees is justified, or if a severance-pay program should be adopted, it seems to me that we should face those issues and decide them on their merits.

How did the concept of annual leave arise? Why is annual leave or vacation with pay provided? The answer is to give the worker an opportunity to refresh himself, to give him a little letup in the continued day-by-day grind on the job, and an opportunity to get out of town for a few days for rest, relaxation, or change of scenery, so that he will come back at the expiration of the leave period in better position to render more efficient service.

A Government employee who is conscientious and gives value in work for the compensation he receives—and I wish to say parenthetically that I am acquainted with many Government employees, and, by and large, I think they are efficient, hard working, loyal, and earn their pay—needs to take the leave that the Government allows him because if he does take it he will not only benefit himself physically and mentally but he will benefit the Government by equipping himself to render more efficient service.

(Mr. JONAS of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Speaker, the repeal of the Thomas leave rider to me is one of the greatest things that can happen in this House, as far as Government operation is concerned, and I will tell you why in a very few words. It has been said it was passed during the last session of Congress that it would save the Government money. That is a lot of nonsense. They either are going to pay an employee today for what he is doing or pay him later on. As it stands, you either let an employee off and have to hire someone else to take his place or let him stay on and pay him upon separation from the service.

We have done one primary thing in this bill, we have allowed them 30 days accumulated leave, which to me is far from what it should be.

One thing the gentleman from Texas [Mr. THOMAS] has not pointed out in this bill is this: We either give the Federal employee the same thing the average worker gets in a plant, which is 26 weeks of social security, rather unemployment compensation, and as industry back home allow 2 weeks with pay in lieu of vacation.

In industry should the occasion arise that when the employer needs additional help in place of a regular employee, that is or is to go on his 2 weeks vacation, the employer will usually ask his regular employee to stay on and take his vacation pay in addition to his regular salary or wages. The employer would much rather at all times retain his regular workers for he knows what the regular employees can do.

The passage of this bill should be a must. Most Government employees do take their annual leave but if it is mandatory by law the department head has no alternative regardless whether it effects the efficiency of the department or not. The present law definitely ties the hands of the head of a department and does not allow sufficient elasticity in operating an efficient bureau.

There are many instances in Government as well as in private industry where a man cannot be easily replaced. For this primary reason this bill should be passed so that department heads can more effectively regulate leave requirements of his personnel.

(Mr. LESINSKI asked and was given permission to revise and extend his remarks.)

Mr. REES of Kansas. Mr. Speaker, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. CORBETT], a member of the committee of conference.

Mr. CORBETT. Mr. Speaker, I believe this measure is a very simple, understandable, and fair one. Because of certain sincere mistakes or misunderstandings, the issues may have become confused. Consequently, I am hopeful that here in a few minutes I can tell you exactly what the situation is, and I believe then you will agree that this conference report constitutes an excellent solution to a very difficult proposition.

To begin with, many of the employees of the Federal Government have accrued annual leave, which is an accrued liability of the Government of the United States. The conferees, in dealing with that subject, said, "All right, we are not going to take away from anybody that which is truly theirs." Let us keep in mind that we simply say in this report everybody shall get everything that is properly coming to them and which was promised to them, but that there shall be in the future a limitation upon the accrued liability which will rest on the Government. It was also agreed as regards this limitation that a fair compromise between the 90-day and the no-day proposition would be to permit a 30-day accumulation from the date of the passage of this act. There were reasons for allowing some accumulation in the future. These reasons are, first, the fact that the Federal employees have no unemployment compensation; second, the fact that they have no terminal leave pay; and, third, the fact that many of them would like to accumulate enough time to take a longer vacation.

Let us remember this, also: that in the last annual-leave bill we cut the annual leave for Federal employees down to 13 days a year for the beginners, and it takes 15 years of service to build up to the point where they can get 26 days of annual leave. So we made a big savings there. The other point, which it is well to remember, is that neither the Thomas leave rider nor any other provision of law of the United States ever made an attempt to reduce the accrued liability which has accumulated over the years until this conference report. The report, if anybody takes the occasion to read it, on page 4, mandates the heads of the agencies and departments to use every proper persuasion to get the people who have accrued annual leave to utilize that leave in actual time, and it further requires the Civil Service Commission to make a report of progress on how much of that leave is used by employees during a time when they would not have to employ substitutes. There is the hope of big savings in this conference report. So by giving the employees all the accrued leave they had in the past, we take care of our proper obligations. By putting a 30-day limitation on the future, we are prohibiting any future great accrued liability on the part of the Government. By instructing the agency to get the employees to use up all of their leave possible in time, we are trying to make large savings. It is

because of that very sensible and logical approach to this proposition that I am here urging that the conference report be adopted.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield.

Mr. THOMAS. My distinguished friend the gentleman from Pennsylvania very frankly stated awhile ago this, in part, is intended to cover severance pay. Why does not your great committee—and it is a good committee, composed of able men like yourself and your chairman—go through the front door and bring in that bill as it ought to be brought in? Why do you come in through this back door which is so expensive and unnecessary?

Mr. CORBETT. Mr. Speaker, I decline to yield further. I want to answer the gentleman's question.

Mr. THOMAS. I would be very happy to receive an answer to my question.

Mr. CORBETT. I think the gentleman has a very excellent point there. I want everyone to remember that on Tuesday, June 30, the leave which we promised to give the employees and which they had every reason to believe they would have on June 30—

Mr. THOMAS. No; you did not. The law says you shall take it. It is written in the law now.

Mr. CORBETT. Just a moment, the gentleman has not heard my answer yet.

Now, then, we promised these people. We were trying to do something to relieve the pressure of the June 30 date. I am going to say to the gentleman we have to get this report through to make good on those promises and commitments and to save the accrued leave for individuals and for their prospective heirs. If we pass this conference report, you will still have leave that has to be taken, and we will then have time to make improvements in separate legislation. I would agree with the gentleman's point of view that we can approach the subject frankly and I would be glad to promote legislation to that effect.

Mr. THOMAS. Ten years have passed and you have not done it.

Mr. CORBETT. I urge you to pass this conference report.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this conference report may revise and extend their remarks, and any other Members who desire to do so may extend their remarks on the conference report at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANHAM. Mr. Speaker, I favor the conference report for two reasons. In the first place it corrects and partially at least, removes an injustice done by the so-called Thomas leave rider, to all Federal employees.

In the second place I am glad to vote for it because it repeals legislation enacted on an appropriation bill in violation of the rules of the House. Legislation on an appropriations bill is forbidden by the rules of the House, and is made possible only by connivance of the Rules Committee in granting a rule mak-

ing it impossible for Members to protest against such riders by objecting to such riders as violations of the rules of the House which forbid legislation on an appropriations bill. I shall vote for the conference committee report.

Mr. WILSON of California. Mr. Speaker, long before I came to Congress and met and came to know our colleague from Texas [Mr. THOMAS], author of the much-discussed Thomas leave rider, I had heard the gentleman spoken of unkindly by many of the Federal workers residing in my district, in San Diego, Calif. I must confess that I pictured him in my mind as possessing horns and a forked tail, breathing fire and smoke in the direction of all Government workers.

My personal acquaintance with the gentleman now shows the error of my first impression. He is a true gentleman and a very able, persuasive speaker, who believes sincerely and honestly in the rightness of his legislative rider, which prohibits the accumulation of leave by Federal employees, and forces them to use it or lose it within 6 months after the calendar year in which it is earned.

But gentlemanly and scholarly as he is, I feel that the gentleman from Texas [Mr. THOMAS] has invented a creature with a personality far different than his own. His leave rider is an iniquitous measure that ruthlessly deprives Federal workers of leave that they have honestly earned and deserved. It deprives them of the right to have, in lieu of severance pay, enough accumulated leave to give them some peace of mind and assurance that they can survive for a definite period in case their jobs are terminated suddenly and without notice. It purports to save the Government money, and yet no person can deny that every Federal worker who earns his leave is entitled to it. The Thomas rider merely attempts to force it down the throats of Government workers within a definite time or cause them to lose what they have rightfully earned.

The argument that it costs the Government more money is completely fallacious. For example, the problems created by forcing employees to take vacations at inappropriate times, perhaps during periods of peak workloads, merely add to the cost of an agency's operation.

I introduced a bill to flatly repeal the Thomas rider. This conference report calls for such a repeal, and I urge a favorable vote on the conference report as the best morale-building measure we have had the opportunity to vote on.

Mr. MILLER of Kansas. Mr. Speaker, I rise in support of the conference report.

It seems to me that in the interest of good service the employees of the Government should have the same or equal opportunity for recreation that has become a common practice in private industry. The present bill wisely provides that employees take advantage of such opportunity by limiting the amount of leave of absence which may be accumulated.

The conference report should be adopted.

Mr. REES of Kansas. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. THOMAS) there were—ayes 119, noes 57.

Mr. THOMAS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER (after counting). Two hundred and six Members are present; not a quorum.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 269, nays 65, not voting 96, as follows:

[Roll No. 70]

YEAS—269

Adair	Donohue	Kee
Addonizio	Dorn, N. Y.	Kelley, Pa.
Albert	Dorn, S. C.	Kersten, Wls.
Alexander	Dowdy	Kilday
Allen, Calif.	Doyle	King, Calif.
Allen, Ill.	Durham	Knox
Andresen,	Edmondson	Lane
August H.	Elliott	Lanham
Angell	Ellsworth	Lantaff
Ashmore	Engle	LeCompte
Aspinall	Evens	Lesinski
Auchincloss	Fallon	Lovre
Ayres	Feighan	Lyle
Baker	Fenton	McCarthy
Barrett	Fernandez	McConnell
Bates	Forand	McDonough
Battle	Forrester	McGregor
Beamer	Fountain	McIntire
Belcher	Frazier	McMillan
Bennett, Fla.	Friedel	Machrowicz
Bennett, Mich.	Fulton	Mack, Wash.
Bentsen	Garmatz	Madden
Berry	Gary	Magnuson
Betts	Gavin	Mailliard
Bishop	George	Martin, Iowa
Blatnik	Goodwin	Matthews
Boggs	Gordon	Meador
Boland	Graham	Merrill
Bolton,	Granahan	Merrrow
Bolton,	Grant	Metcalf
Frances P.	Green	Miller, Kans.
Oliver P.	Gregory	Miller, N. Y.
Bonin	Gross	Mills
Bonner	Gubser	Mollohan
Bosch	Hagen, Calif.	Moss
Bramblett	Hagen, Minn.	Moulder
Brooks, La.	Haley	Mumma
Brown, Ga.	Halleck	Murray
Brown, Ohio	Harden	Neal
Brownson	Hardy	Nelson
Broyhill	Harrison, Va.	Oakman
Buchanan	Harrison, Wyo.	O'Brien, Ill.
Byrd	Hays, Ark.	O'Brien, Mich.
Byrne, Pa.	Hays, Ohio	O'Hara, Ill.
Canfield	Heseltin	O'Hara, Minn.
Carlyle	Hess	O'Neill
Carnahan	Hiestand	Ostertag
Case	Hill	Patman
Chatham	Hillings	Patterson
Chelf	Hinshaw	Pelly
Chenoweth	Hoeven	Perkins
Chipherfield	Holfield	Pfost
Chudoff	Holmes	Pilcher
Cole, Mo.	Holt	Poage
Condon	Holtzman	Poff
Cooley	Hope	Polk
Cooper	Hosmer	Preston
Corbett	Howell	Price
Cretella	Hunter	Priest
Crosser	Hyde	Prouty
Crumpacker	James	Rabaut
Cunningham	Jarman	Radwan
Curtis, Mass.	Javits	Rains
Dague	Johnson	Reams
Davis, Ga.	Jonas, Ill.	Reed, N. Y.
Davis, Tenn.	Jones, Ala.	Rees, Kans.
Dawson, Utah	Jones, N. C.	Rhodes, Ariz.
Deane	Judd	Rhodes, Pa.
Devereux	Karsten, Mo.	Riehlman
D'Ewart	Kearns	Riley
Dodd	Keating	Rivers

Roberts
Robeson, Va.
Robson, Ky.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rooney
Roosevelt
St. George
Saylor
Schenck
Scherer
Scott
Scudder
Seely-Brown
Selden
Shelley
Sheppard
Shuford

Sieminski
Sikes
Simpson, Ill.
Small
Smith, Kans.
Smith, Miss.
Smith, Wis.
Spence
Springer
Staggers
Stauffer
Steed
Sullivan
Talle
Thompson, Tex.
Tollefson
Trimble
Utt
Van Zandt
Velde

Vinson
Vorys
Walter
Watts
Welchel
Wharton
Wickersham
Williams, Miss.
Williams, N. Y.
Wilson, Calif.
Wilson, Ind.
Winstead
Withrow
Wolcott
Wolverton
Yorty
Young
Younger
Zablocki

NAYS—65

Abernethy
Andersen,
H. Carl
Andrews
Arends
Bow
Budge
Byrnes, Wis.
Camp
Cannon
Cederberg
Church
Clardy
Clevenger
Cole, N. Y.
Coon
Cotton
Coudert
Curtis, Mo.
Curtis, Nebr.
Davis, Wis.
Dempsey
Donovan

Fisher
Ford
Gathings
Gentry
Golden
Gwinn
Hand
Harrison, Nebr.
Harvey
Hébert
Herlong
Hoffman, Mich.
Horan
Hruska
Jackson
Jensen
Jonas, N. C.
Jones, Mo.
Kilburn
Krueger
Laird
Long
McCulloch

Marshall
Miller, Md.
Miller, Nebr.
Nicholson
Norblad
Norrell
Patten
Ray
Rogers, Tex.
Scrivner
Sutton
Taber
Thomas
Thompson,
Mich.
Van Pelt
Vursell
Warburton
Westland
Wheeler
Whitten

NOT VOTING—96

Abbitt
Bailey
Barden
Becker
Bender
Bentley
Bolling
Boykin
Bray
Brooks, Tex.
Buckley
Burdick
Burleson
Busbey
Bush
Campbell
Carrigg
Celler
Colmer
Dawson, Ill.
Delaney
Derounian
Dies
Dingell
Dollinger
Dolliver
Dondero
Eberharter
Fine
Fino
Fogarty
Frelinghuysen

Gamble
Hale
Harris
Hart
Heller
Hillelson
Hoffman, Ill.
Ikard
Jenkins
Kean
Kearney
Kelly, N. Y.
Keogh
King, Pa.
Kirwan
Klein
Kluczynski
Landrum
Latham
Lucas
McCormack
McVey
Mack, Ill.
Mahon
Mason
Miller, Calif.
Morano
Morgan
Morrison
Multer
O'Brien, N. Y.
O'Konski

Osners
Passman
Philbin
Phillips
Pillion
Powell
Rayburn
Reece, Tenn.
Reed, Ill.
Regan
Richards
Sadlak
Secrest
Shafer
Sheehan
Short
Simpson, Pa.
Smith, Va.
Stringfellow
Taylor
Teague
Thompson, La.
Thornberry
Tuck
Wainwright
Wampler
Widnall
Wier
Wigglesworth
Willis
Wilson, Tex.
Yates

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Wigglesworth with Mr. Dies.
Mr. Becker with Mr. Wilson of Texas.
Mr. Carrigg with Mr. Landrum.
Mr. King of Pennsylvania with Mr. Willis.
Mr. Kean with Mr. Thompson of Louisiana.
Mr. Jenkins with Mr. Thornberry.
Mr. Stringfellow with Mr. Mahon.
Mr. Taylor with Mr. Ikard.
Mr. Sadlak with Mr. Kirwan.
Mr. Wampler with Mr. Eberharter.
Mr. Dondero with Mr. Bailey.
Mr. Frelinghuysen, Jr., with Mr. Morrison.
Mr. Derounian with Mr. Regan.
Mr. McVey with Mr. Morgan.
Mr. Wainwright with Mr. Passman.

Mr. Mason with Mr. Dingell.
Mr. Osmer with Mr. Philbin.
Mr. Reece of Tennessee with Mr. Smith of Virginia.

Mr. Dolliver with Mr. Teague.
Mr. Bush with Mr. Wier.
Mr. Busbey with Mr. Yates.
Mr. Bray with Mr. McCormack.
Mr. Bentley with Mr. Campbell.
Mr. Hoffman of Illinois with Mr. Harris.
Mr. Hillelson with Mr. Keogh.
Mr. Kearney with Mr. Fine.
Mr. Latham with Mr. Klein.
Mr. Widnall with Mr. Dollinger.
Mr. Short with Mrs. Kelly of New York.
Mr. Shafer with Mr. Multer.
Mr. Sheehan with Mr. Delaney.
Mr. Bender with Mr. Powell.
Mr. Morano with Mr. Heller.
Mr. Gamble with Mr. Celler.
Mr. Reed of Illinois with Mr. Buckley.
Mr. Phillips with Mr. Abbitt.
Mr. Pillion with Mr. O'Brien of New York.
Mr. Fino with Mr. Miller of California.
Mr. Hale with Mr. Fogarty.
Mr. Burdick with Mr. Colmer.
Mr. O'Konski with Mr. Hart.

Mr. FERNANDEZ changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EFFECT ON THE WEATHER OF CERTAIN ATOMIC BOMB EXPLOSIONS

Mr. WOLVERTON. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce, I call up a privileged report on House Resolution 283 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of Commerce is hereby directed to furnish to the House of Representatives at the earliest practicable date full and complete information with respect to whether there is any connection between the tornadoes which have recently occurred in the United States and the recent explosions of atomic bombs in the United States.

Mr. WOLVERTON. Mr. Speaker, inasmuch as the information is contained in the report, I move that the resolution be laid on the table.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the material contained in the report be printed in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

(The report referred to is as follows:)

INQUIRING INTO THE EFFECT ON THE WEATHER OF CERTAIN ATOMIC-BOMB EXPLOSIONS

Mr. WOLVERTON, from the Committee on Interstate and Foreign Commerce, submitted the following adverse report:

The Committee on Interstate and Foreign Commerce to whom was referred the resolution (H. Res. 283) directing the Secretary of Commerce to furnish to the House of Representatives full and complete information about the effect on the weather of certain atomic-bomb explosions, having considered the same, report unfavorably thereon without amendment and recommend that the resolution do not pass.

THE SECRETARY OF COMMERCE,

Washington, June 24, 1953.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate
and Foreign Commerce,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: This letter is in reply to your request of June 12, 1953, for the views of this Department with respect to House Resolution 283, a resolution which calls upon the Secretary of Commerce to furnish complete information with respect to whether there is any connection between tornadoes and explosions of atomic bombs.

The Department has been in very close touch with discussions on this subject during the past few years and has been engaged with the Atomic Energy Commission and the military services in some aspects of the subject. There is attached a concise statement by Mr. F. W. Reichelderfer, Chief of the Weather Bureau of the Department, on the views of that Bureau on the relationship between atomic tests and weather.

We wish to state that the extensive studies already made on this subject by this Department has resulted in no evidence that there is any casual connection between the explosions of atomic bombs and general weather conditions or severe storms, such as tornadoes.

We have been advised by the Bureau of the Budget that it would interpose no objection to our submission of this letter.

If we can be of further assistance in this matter, please call on us.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

UNITED STATES
DEPARTMENT OF COMMERCE,
WEATHER BUREAU,
June 22, 1953.

STATEMENT ON WEATHER AND ATOMIC BOMBS

Although the Weather Bureau has no objection to proposed House Resolution 283, the suggestion of a relationship between atomic bombs and weather is of such significance that the executive agencies directly concerned, being mindful of the public interest, would be glad to make available the complete results of studies with or without passage of a formal resolution. The principal conclusions are summarized briefly below.

Since the program for testing atomic weapons first began, the Weather Bureau and other agencies have been vitally interested in any possible meteorological results of the explosions. Detailed meteorological studies have been made and except for very local (i. e., within a few miles) effects immediately following the explosions, no meteorological effects were observed which could be considered the results of the explosions.

The fact that a near record number of tornadoes has been reported in the spring of 1953 should not, in our opinion, be attributed to the recent tests in Nevada; the tornado frequency in 1952 was much less although atomic tests were carried out in that year too. Scarcely a year goes by without some record of heavy rain, drought, severe storm, etc., being observed somewhere in the world and the coincidence of one of the meteorological events with some of man's activities does not mean that any influence was exercised by man.

Although all the details of the tornado formation are not known, meteorologists for years have recognized the characteristics which the atmosphere must have in order for tornadoes to form; and it can be said with confidence that the broad weather conditions existing over the United States the past spring were unusually favorable for

tornado occurrences. For example, in May 1953, 97 tornadoes were reported, but in May 1933, a month which was quite similar to May 1953 in overall weather pattern in the United States, 91 tornadoes were reported and this occurred long before the advent of the atomic bomb. In May 1952, when atomic tests were in progress, only 36 tornadoes were reported.

By comparing the energy released in an atomic explosion with the energy involved in normal atmospheric processes and by studying the probable effects of the contaminants added to the atmosphere, we are led further to believe that no significant effects should be expected. For example, the energy released by the explosion of 1 atomic bomb of the type used at Hiroshima is approximately equal to that of the sun's rays falling on an area of 2 square miles of ground during an average day. The dust added to the atmosphere by the explosion is much less than that picked up by winds in a small dust storm over the Great Plains; furthermore, particles normally present in great number in the atmosphere, such as sea salt, are more effective as condensation and sublimation nuclei than explosion-derived particles even if the latter do carry electrical charges.

F. W. REICHELDERFER,
Chief, Weather Bureau.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill H. R. 5456, and that I may extend my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, this bill seeks to extend the authority for the Veterans' Administration to make direct housing loans for 1 year or until June 30, 1954. And further, it would authorize \$100 million additional for the revolving fund for the purpose of making such direct loans, to be made in increments of \$25 million each quarter. This authorization would be decreased by whatever the amount VA receives from the sale of previously made loans.

The loan rate for these direct loans is set at the same as for guaranteed home loans which, as you know, is 4½ percent. Authority is also granted to reduce the rate with concurrence of the Secretary of the Treasury when the loan market demands.

The maximum amount of any loan that can be made is \$10,000 and the general regulation of the Veterans' Administration on this subject is that the loans are made only in nonmetropolitan areas where private financing institutions are unwilling or unavailable to provide such loans. Approximately 30,000 loans have been made with a default rate of four-tenths of 1 percent. The average amount loaned is \$6,700.

It should be stressed that the Veterans' Administration is empowered to make a direct loan only after it is determined that private capital is not available to finance the loan. Actually, two attempts are made to obtain financing from private sources before the Veterans'

Administration will approve the loan if it meets the credit risk criteria.

Two days of hearings were held on this subject and the losses to date have been

at such a low rate that the committee feels that it is fully warranted in urging favorable action upon this bill. I am of the opinion that the program has worked

well, that the default rate has been extremely low, and that the entire program has been administered in a conservative manner.

Direct loan program as of Apr. 30, 1953

Regional office	Fully disbursed loans		Terminated loans				Loans outstanding	Loans in default ¹			Applications in process, funds reserved	Applications awaiting processing and veterans on waiting list ²
	Number	Average amount	Sold		Repaid in full	Fore-closed or voluntarily conveyed		Total	3 or more installments			
			Number	Percent of fully disbursed loans					Number	Percent of outstanding loans		
Total	30,565	\$6,709	1,480	4.8	279	30	28,776	725	154	0.5	9,554	23,460
Alabama: Montgomery	1,406	7,085	0	0	10	1	1,395	38	9	.6	256	994
Alaska: Juneau	372	8,668	0	0	5	0	367	20	4	1.1	64	189
Arizona: Phoenix	97	0,352	3	3.1	0	0	94	2	0	0	83	226
Arkansas: Little Rock	658	6,177	19	2.9	4	0	635	10	2	.3	225	91
California:												
Los Angeles	112	7,857	11	9.8	1	0	100	2	0	0	73	8
San Diego	175	8,058	0	0	3	1	171	2	0	0	44	21
San Francisco	321	8,522	0	0	4	0	317	7	4	1.2	208	199
Colorado: Denver	466	6,982	19	4.1	7	2	438	14	6	1.3	98	319
Connecticut: Hartford ³	None											
Delaware: Wilmington ³	None											
District of Columbia: Washington ³	None											
Florida:												
Miami	57	8,366	0	0	0	0	57	1	0	0	67	99
Pass-A-Grille	520	7,444	9	1.7	2	0	509	3	0	0	151	382
Georgia: Atlanta	1,223	6,559	3	.2	11	1	1,208	36	4	.3	349	1,875
Hawaii: Honolulu ³	None											
Idaho: Boise	216	7,152	77	35.6	0	0	139	2	0	0	58	23
Illinois: Chicago	944	6,739	128	13.6	6	3	807	24	3	.3	621	1,289
Indiana: Indianapolis	1,253	5,745	142	11.3	8	0	1,103	30	8	.6	160	1,046
Iowa: Des Moines	629	6,168	32	5.1	8	0	589	7	1	.2	293	323
Kansas: Wichita	312	6,664	135	43.3	1	0	176	4	2	.6	84	242
Kentucky: Louisville	2,243	6,238	0	0	16	6	2,221	29	11	.5	370	870
Louisiana:												
New Orleans	709	7,184	0	0	6	0	703	0	0	0	144	680
Shreveport	473	6,828	0	0	4	1	468	9	0	0	120	288
Maine: Togus	308	5,170	84	27.3	4	1	219	2	1	.3	99	128
Maryland: Baltimore	352	7,369	29	8.2	4	0	319	7	1	.3	65	163
Massachusetts: Boston ³	None											
Michigan: Detroit	430	6,887	0	0	1	0	429	4	0	0	466	244
Minnesota: St. Paul	500	6,532	4	.8	3	2	491	18	4	.8	211	603
Mississippi: Jackson	1,251	7,037	18	1.4	3	3	1,227	53	4	.3	307	812
Missouri:												
Kansas City	444	0,557	6	1.4	7	0	431	2	0	0	79	783
St. Louis	578	6,416	7	1.2	8	0	563	6	1	.2	253	455
Montana: Fort Harrison	737	6,959	35	4.7	14	0	688	9	1	.1	67	682
Nebraska: Lincoln	395	6,692	6	1.5	9	0	380	0	0	0	105	179
Nevada: Reno	166	7,889	0	0	1	0	165	3	0	0	42	364
New Hampshire: Manchester ³	None											
New Jersey: Newark ³	None											
New Mexico: Albuquerque	460	7,502	0	0	1	0	459	4	1	.2	57	384
New York:												
Albany	62	6,179	2	3.2	1	0	59	5	1	1.6	25	0
Buffalo	69	6,051	31	44.9	0	1	37	1	0	0	24	3
New York ³	None											
Syracuse	49	5,954	34	69.4	0	0	15	1	0	0	11	3
North Carolina: Winston-Salem	1,011	6,802	9	.9	3	0	999	31	3	.3	722	714
North Dakota: Fargo	452	5,902	71	15.7	7	2	372	6	1	.2	140	45
Ohio:												
Cincinnati	534	6,084	75	14.0	6	0	453	24	9	1.7	290	193
Cleveland	539	6,996	19	3.5	4	0	516	16	2	.4	202	1,531
Oklahoma:												
Muskogee	252	5,915	0	0	3	0	249	7	1	.4	73	42
Oklahoma City	209	6,596	13	6.2	0	0	196	9	2	1.0	57	66
Oregon: Portland	191	0,634	21	11.0	2	0	168	8	0	0	90	66
Pennsylvania:												
Philadelphia ³	None											
Pittsburgh	555	6,545	60	10.8	4	0	491	8	1	.2	228	157
Wilkes-Barre	832	6,479	66	7.9	16	0	750	36	8	1.0	172	10
Puerto Rico: San Juan	224	8,222	0	0	2	0	222	5	0	0	97	552
Rhode Island: Providence	None											
South Carolina: Columbia	581	6,779	18	3.1	2	0	561	34	3	.5	236	573
South Dakota: Sioux Falls	499	6,710	14	2.8	15	0	470	14	2	.4	85	353
Tennessee: Nashville	865	6,258	21	2.4	5	2	837	28	5	.6	369	465
Texas:												
Dallas	360	7,087	0	0	2	0	358	0	0	0	101	0
Houston	372	7,055	0	0	2	3	367	15	6	1.6	42	108
Lubbock	392	6,848	0	0	3	0	389	16	6	1.5	81	415
San Antonio	128	7,248	0	0	0	0	128	0	0	0	54	1
Waco	356	6,417	0	0	4	0	352	3	0	0	122	184
Utah: Salt Lake City	213	6,966	5	2.3	5	0	203	1	0	0	74	215
Vermont: White River Junction	88	4,866	21	23.9	0	0	67	0	0	0	32	10
Virginia: Roanoke	1,570	6,966	0	0	11	1	1,558	15	5	.3	281	1,758
Washington: Seattle	179	7,020	1	.6	4	0	174	3	1	.6	85	64
West Virginia: Huntington	1,147	6,293	0	0	5	0	1,142	56	18	1.6	311	934
Wisconsin: Milwaukee	862	6,734	157	18.2	21	0	684	35	13	1.5	153	617
Wyoming: Cheyenne	167	7,453	75	44.9	1	0	91	0	0	0	52	186

¹ As of end of month.

² Applications on hand awaiting preliminary clearance plus veterans waiting to file applications.

³ No portion of region eligible for direct loans.

Public Law 102 - 83d Congress
Chapter 178 - 1st Session
H. R. 4654

AN ACT

To provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch of the Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Annual and Sick Leave Act of 1951 is amended by adding a subsection (c) as follows:

“(c) (1) This title shall not apply to the following officers in the executive branch of the Government and officers of the government of the District of Columbia, including officers of corporations wholly owned or controlled by the United States:

Annual and
sick leave.
65 Stat. 679.
5 USC 2061;
Exemptions.

“(A) persons appointed by the President by and with the advice and consent of the Senate, or by the President alone, whose rates of basic compensation exceed the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended;

63 Stat. 965.
5 USC 1113.

“(B) persons who receive compensation in accordance with section 411 of the Foreign Service Act of 1946; and

60 Stat. 1002.
22 USC 866.

“(C) such other officers (except postmasters, United States attorneys, and United States marshals) as may be designated by the President.

No officer in the executive branch of the Government and no officer of the government of the District of Columbia, including an officer of a corporation wholly owned or controlled by the United States, to whom this title applies shall be deemed to be entitled to the compensation attached to his office solely by virtue of his status as an officer.

“(2) The President, in his discretion, may authorize leaves of absence to persons who are exempted from this title pursuant to subsection (c) (1) (B) for use in the United States and its Territories and possessions. Leaves of absence authorized under this subsection shall not constitute a leave system, and no such leave of absence which is not used shall be made the basis for any lump-sum payment.”

SEC. 2. (a) The accumulated and current accrued annual leave to which any officer exempted from the Annual and Sick Leave Act of 1951 as a result of the enactment of this Act is entitled immediately prior to the date this Act becomes applicable to him shall be liquidated by a lump-sum payment in accordance with the Act of December 21, 1944 (5 U. S. C. 61b-61e) or the Act of August 3, 1950 (5 U. S. C. 61f-61k), except that payment under either such Act (1) shall be based upon the rate of compensation which he was receiving immediately prior to the date on which this Act became applicable to him, and (2) shall be made without regard to the limitations imposed by the amendments made by sections 4 and 5 of this Act with respect to the amounts of leave compensable under such Acts.

Accrued leave
liquidation.
65 Stat. 679.
5 USC 2061 note.
Post, p. 139.
64 Stat. 395.
67 Stat. 136.
67 Stat. 137.

(b) In the event any such exempted officer, without any break in the continuity of his service, again becomes subject to the Annual and Sick Leave Act of 1951 upon the completion of his service as an exempted officer, the unused annual and sick leave standing to his credit at the time he was exempted from the Annual and Sick Leave Act of 1951 shall be deemed to have remained to his credit.

5 USC 2061 note.

SEC. 3. (a) Section 203 (c) of the Annual and Sick Leave Act of 1951 is amended to read as follows:

5 USC 2062.

“(c) The annual leave provided for in this section, which is not used by an officer or employee, shall accumulate for use in succeeding years until it totals not to exceed thirty days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an

Maximum
accumulation.

officer or employee who is not paid on the basis of biweekly pay periods, occurring in any year."

(b) So much of section 203 (d) of the Annual and Sick Leave Act of 1951 as precedes paragraph (1) thereof is amended to read as follows:

"(d) Notwithstanding the provisions of subsection (c), a maximum accumulation not to exceed forty-five days at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in any year is authorized to the following categories of employees of the Federal Government, other than officers and employees in the Foreign Service of the United States under the Department of State, stationed outside the several States and the District of Columbia:"

(c) Section 208 (a) of the Annual and Sick Leave Act of 1951 is amended to read as follows:

"SEC. 208. (a) In any case in which—

"(1) the amount of accumulated annual leave to the credit of an officer or employee immediately following the end of the last complete biweekly pay period in the calendar year 1952, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, under the provisions of law then applicable to such officer or employee is in excess of the amount allowable under the applicable provisions of section 203, or

"(2) the amount of accumulated annual leave to the credit of an officer or employee who is subject to the provisions of section 203 (d) and who becomes subject to the provisions of section 203 (c) is in excess of the amount allowable under section 203 (c),

such excess shall remain to the credit of such officer or employee until used, but the use during any leave year of an amount in excess of the aggregate amount which shall have accrued during such year shall automatically reduce the maximum allowable accumulation at the beginning of the first complete biweekly pay period, or corresponding period in the case of an officer or employee who is not paid on the basis of biweekly pay periods, in the following leave year, until the accumulation of such officer or employee no longer exceeds the amount prescribed in the applicable provisions of section 203."

SEC. 4. (a) The second and third sentences of the first section of the Act of December 21, 1944, are amended to read as follows: "Such lump-sum payment shall equal the compensation that such officer or employee would have received had he remained in the service until the expiration of the period of such annual or vacation leave, except that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of thirty days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater. If such officer or employee is reemployed (other than in a position exempted from the Annual and Sick Leave Act of 1951 under section 202 (b) (1) (B), (C), or (H) of such Act) in the Federal service or in or under the government of the District of Columbia prior to the expiration of the period covered by such leave payment, he shall refund to the employing agency an amount equal to the compensation covering the period between the date of

65 Stat. 682.
5 USC 2066.

Lump-sum
payment.
58 Stat. 845.
5 USC 61b.

67 Stat. 137.
67 Stat. 138.

Refund.
5 USC 2061.

reemployment and the expiration of such leave period. The leave represented by any such refund—

“(1) in the case of an officer or employee reemployed under the same leave system, shall be recredited to him in the employing agency in an amount equal to the amount represented by the refund;

“(2) in the case of an officer or employee reemployed under a different leave system, shall be recredited to him in the employing agency on an adjusted basis in accordance with regulations to be prescribed by the Civil Service Commission; and

“(3) in the case of an officer or employee reemployed in an office or position exempted from the Annual and Sick Leave Act of 1951 under section 202 (c) (1) of such Act, shall be deemed, upon separation from service, death, or transfer to another office or position in the Government service, to have remained to the credit of such officer or employee.

5 USC 2061.

Any amounts so refunded shall be deposited in the Treasury to the credit of the employing agency. The lump-sum payment herein authorized shall not be regarded, except for purposes of taxation, as salary or compensation and shall not be subject to retirement deductions.”

(b) Section 205 of the Annual and Sick Leave Act of 1951 is amended by adding at the end thereof a new subsection to read as follows:

5 USC 2064.

“(e) In the case of transfer of an officer or employee between positions under different leave systems (other than transfers involving positions exempted under section 202 (b) (1) (B), (C), or (H)), without a break in service, the annual and sick leave to the credit of such officer or employee shall be transferred to his credit in the employing agency on an adjusted basis in accordance with regulations to be prescribed by the Civil Service Commission.”

Transfer.

5 USC 2061.

SEC. 5. Clause (6) of section 2 of the Act of August 3, 1950, is amended to read as follows: “(6) payment for all accumulated and current accrued annual or vacation leave equal to the compensation the decedent would have received had he remained in service until the expiration of the period of such annual or vacation leave, except that after August 31, 1953, no such lump-sum payment shall exceed compensation for any period of such leave in excess of thirty days or the number of days carried over to his credit at the beginning of the leave year in which entitlement to payment occurs, whichever is the greater;”.

Decedents.
64 Stat. 396.
5 USC 61g.

SEC. 6. The heads of the departments and agencies are authorized and directed to take such action as may be necessary to bring about reductions in the accumulated annual leave to the credit of officers and employees which is in excess of the amounts allowable under the applicable provisions of section 203 of the Annual and Sick Leave Act of 1951, as amended by this Act, within a reasonable period of years, consistent with the exigencies of the public business, and to make such reports with respect to the action taken as may be requested by the Civil Service Commission. The Civil Service Commission shall include in its annual report to the Congress a statement of the progress made in carrying out the purposes of this section.

Reduction of excess.

5 USC 2062.
67 Stat. 138.
67 Stat. 139.

Report to Congress.

All 67 Stat. 139.

Effective dates. SEC. 7. (a) Section 401 of the Independent Offices Appropriation Act, 1953 (Public Law 455, Eighty-second Congress), is repealed, effective as of June 29, 1953.
 66 Stat. 418.
 5 USC 2062a.
 58 Stat. 846. (b) Sections 3 and 4 of the Act of December 21, 1944, are hereby repealed.
 5 USC 61d, 61e.

SEC. 8. The first section and section 2 of this Act shall take effect on the first day of the first pay period which begins after the date of enactment of this Act.

Approved July 2, 1953.